



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 36]

नई दिल्ली, शनिवार, सितम्बर 8, 1984/भाद्र 17, 1906

No. 36]

NEW DELHI, SATURDAY, SEPTEMBER 8, 1984/BHADRA 17, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(सर्व मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और सूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

MINISTRY OF LAW, JUSTICE & CO. AFFAIRS

(विधि कार्य विभाग)

(Department of Legal Affairs)

NOTICE

सूचना

New Delhi, the 18th August, 1984.

नई दिल्ली, 18 अगस्त, 1984

का. आ. 2868.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री आर. डी. शर्मा, एडवोकेट, 365 सुभाष मार्केट, कोटला मुबारकपुर पुलिस पोस्ट के पीछे, नई दिल्ली-110003 ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली (स्थान कोटला मुबारकपुर) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

S.O. 2868.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by R. D. Sharma, advocate, 365, Subhash Market, Opp. Police Post, Kotla Mubarakpur, New Delhi-110003, for appointment as a Notary to practise in Delhi (area : Kotla Mubarakpur).

2. Any objection to the appointment of the said person as Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(55)/84-Judl.]

S. GOOPTU, Competent Authority

गृह मंत्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 23 अगस्त, 1984

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किस भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

का. आ. 2869.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्न-लिखित अपराधों को ऐसे अपराध के रूप में विनिर्दिष्ट करती

[सं. 5(55)/84-न्या.]

एस. गुप्ता, सक्षम प्राधिकारी

है जिनका अन्वेषण दिल्ली विशेष पुलिस स्थापन द्वारा किया जाएगा, अर्थात् :—

- (क) भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 212 के अधीन दण्डनीय अपराध,
 (ख) आयुध अधिनियम, 1959 (1959 का 54) की धारा 54 और 59 के अधीन दण्डनीय अपराध,
 (ग) खंड (क) और (ख) में उल्लिखित एक या अधिक अपराधों के संबंध में या उनसे संभव प्रयत्न वृत्ति या षड्यंत्र के तथा उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संव्यवहार के अनुक्रम में किए गए अन्य अपराध।

[सं. 228/22/84-ए. बी. जो. II]

पी. एन. अनन्तरामन, अवसर सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 23rd August, 1984

S.O. 2869.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specifies the following offences as the offences which are to be investigated by the Delhi Special Police Establishment, namely :—

- (a) Offences punishable under sections 212 of the Indian Penal Code, 1860 (45 of 1860) ;
 (b) Offences punishable under sections 54 and 59 of the Arms Act, 1959 (54 of 1959) ;
 (c) attempts, abetments and conspiracies in relation to, or in connection with, one or more of the offences mentioned in clauses (a) and (b) and any other offence committed in the course of the same transaction arising out of the same facts.

[No. 228/22/84-AVD. II]

P. N. ANANTHARAMAN, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 21 अगस्त, 1984

स्टाम्प

का.आ. 2870.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो तमिलनाडु विद्युत बोर्ड द्वारा "8.75 % तमिलनाडु विद्युत बोर्ड ऋण 2000 (द्वितीय श्रृंखला)" के सम्बंध में जारी किए जाने वाले केवल उन्नीस करोड़ अड़तालीस लाख पच्चीस हजार तीन सौ रुपये मूल्य के बचत पत्रों के रूप में बन्ध पत्रों पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[सं. 52/84 स्टाम्प-फा. सं. 33/41/84 वि.क.]

भगवान दास, अवसर सचिव

MINISTRY OF FINANCE
(Department of Revenue)

ORDER

New Delhi, the 21st August, 1984

STAMPS

S.O. 2870.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of Promissory notes of the value of rupees nineteen crores forty eight lakhs twenty-five thousand and three hundred only to be issued in connection with "8.75% Tamil Nadu Electricity Board loan 2000 (second series)", by Tamil Nadu Electricity Board are chargeable under the said Act.

[No. 52/84-STAMP-F. No. 33/41/84-ST]

BHAGWAN DAS, Under Secy.

(आर्थिक कार्य विभाग)

बैंकिंग प्रभाग

नई दिल्ली, 13 अगस्त, 1984

का. आ. 2871.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री के. पी. असनानी को दमोह-पन्ना-सागर क्षेत्रीय ग्रामीण बैंक दमोह (मध्य प्रदेश) का अध्यक्ष नियुक्त करती है तथा 17 जून, 1984 से प्रारम्भ होकर 30 जून, 1987 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री के. पी. असनानी अध्यक्ष के रूप में कार्य करेंगे।

[सं. एफ. 2-97/82-आर. आर. बी.]

एस. एस. हसूरकर, निदेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 13th August, 1984

S.O. 2871.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri K. P. Asnani as the Chairman of the Damoh-Panna-Sagar Khetriya Gramin Bank, Damoh (MP) and specifies the period commencing on the 17th June, 1984 and ending with the 30th June 1987 as the period for which the said Shri K. P. Asnani shall hold office as such Chairman.

[No. F. 2-97/82-RRB]

S. S. HASURKAR, Director

नई दिल्ली, 18 अगस्त, 1984

का. आ. 2872.—निक्षेप बीमा और प्रत्यक्ष गारंटी निगम अधिनियम, 1961 (1961 का 47) की धारा 6 की उपधारा (1) के खंड (ड) के उपबंधों के अनुसरण में, केन्द्रीय सरकार भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा यूनाइटेड कमर्शियल बैंक, कलकत्ता के

अध्यक्ष तथा प्रबंध निदेशक श्री एस० पी० सेन गुप्ता को 18 अगस्त, 1984 से 18 जुलाई, 1986 तक निक्षेप बीमा और प्रत्यय गारंटी निगम के निदेशक के रूप में नामित करती है।

[सं० एक० 6/2/84-बी० आ०-I]

च० बा० मीरचन्दानी, निदेशक

New Delhi, the 18th August, 1984

S.O. 2872.—In pursuance of the provisions of clause (c) of sub-section (1) of section 6 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri S. P. Sen Gupta, Chairman and Managing Director, United Commercial Bank, Calcutta as a director of the Deposit Insurance and Credit Guarantee Corporation with effect from August 18, 1984 to July 18, 1986.

[No. F. 6/2/84-BO-I]

C. W. MIRCHANDANI, Director

वाणिज्य मंत्रालय

(इलायची नियंत्रण)

नई दिल्ली, 17 अगस्त, 1984

का० आ० 2873.—केन्द्रीय सरकार, इलायची अधिनियम, 1965 (1965 का 42) की धारा 33 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इलायची नियम, 1966 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्—

- 1 (1) इन नियमों का संक्षिप्त नाम इलायची (संशोधन) नियम, 1984 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. इलायची नियम 1966 में,—

- (i) नियम 4 के उप-नियम (1) के खंड (ग) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्—
“(ग) प्रचार और विपणन सलाहकार समिति—
एक प्रचार और विपणन सलाहकार समिति जिसमें निम्नलिखित होंगे—
(i) अध्यक्ष, जो समिति का पदेन अध्यक्ष होगा,
(ii) उपाध्यक्ष,
(iii) केन्द्रीय सरकार के वाणिज्य से संबंधित मंत्रालय का प्रतिनिधि सदस्य,
(iv) इलायची व्यापार के हित का प्रतिनिधित्व करने वाले दो सदस्य, और
(v) बोर्ड के सदस्यों द्वारा, ऐसी रीति से जैसी बोर्ड द्वारा अधिकांशतः की जाए, निर्वाचित दो अन्य सदस्य।”

- (ii) नियम 12 के खंड (ग) में “प्रवर्धन समिति” शब्दों के स्थान पर, जहाँ कहीं भी वे आते हैं “प्रचार और विपणन सलाहकार समिति” शब्द रखे जाएंगे।

[फा० सं०-36/1/84-प्लांट(बी)]

MINISTRY OF COMMERCE
(CARDAMOM CONTROL)

New Delhi, the 17th August, 1984

S.O. 2823.—In exercise of the powers conferred by section 33 of the Cardamom Act, 1965 (42 of 1965), the Central Government hereby makes the following rules further to amend the Cardamom Rules, 1966, namely :

1. (1) These rules may be called the Cardamom (Amendment) Rules, 1984.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Cardamom Rules, 1966,—
(i) in rule 4, in sub-rule (1), for clause (c), the following shall be substituted, namely :—
“(c) Publicity and Marketing Advisory Committee—
A Publicity and Marketing Advisor Committee consisting of—
(i) the Chairman who shall be the ex-officio Chairman of the Committee ;
(ii) the Vice-Chairman ;
(iii) the member representing the Ministry of the Central Government dealing with Commerce ;
(iv) the two members representing the Cardamom Trade interests ; and
(v) the two other members to be elected by the members of the Board in such manner as may be laid down by the Board.”
- (ii) in rule 12, in clause (e), for the words “Propaganda Committee”, wherever they occur, the words “Publicity and Marketing Advisory Committee” shall be substituted.

[File No. 36/1/84-Plant (B)]

का० आ० 2874.—केन्द्रीय सरकार, इलायची अधिनियम, 1965 (1965 का 42) की धारा 33 द्वारा प्रदत्त शक्तियों का प्रयोग कर हुए इलायची नियम, 1966 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्—

1. (1) इन नियमों का संक्षिप्त नाम इलायची (संशोधन) नियम, 1984 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. इलायची नियम, 1966, के नियम 4 के उप-नियम (1) में, खंड (घ) के पश्चात् जो श्रम कल्याण समिति से संबंधित है, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्—

- “(घ) एसोसिएट इलायची समिति—एक एसोसिएट इलायची समिति जिसमें निम्नलिखित होंगे—
(i) अध्यक्ष, जो समिति का पदेन अध्यक्ष होगा ;

- (ii) उपाध्यक्ष;
- (iii) इलायची विकास निदेशक;
- (iv) सिक्किम सरकार का विकास आयुक्त;
- (v) सिक्किम सरकार का कृषि निदेशक;
- (vi) पश्चिमी बंगाल सरकार का अतिरिक्त उपायुक्त (विकास);
- (vii) केन्द्रीय सरकार का कृषि से संबंधित मंत्रालय का सदस्य;
- (viii) इलायची उपजाने वाले हितों का प्रतिनिधित्व करने वाले दो सदस्य जिनमें से सिक्किम और पश्चिमी बंगाल राज्यों के एक एक सदस्य होंगे;
- (ix) इलायची व्यापार हितों का प्रतिनिधित्व करने वाले दो सदस्य जिनमें से सिक्किम और पश्चिमी बंगाल राज्यों के एक एक सदस्य होंगे;
- (x) एक सदस्य जो एमोमम इलायची का निर्यातकर्ता होगा;”।

[फा० सं० 36/2/84-प्लान्ट (बी)]

बी. एम. एस. नेगी, अधर सचिव

S.O. 2874.—In exercise of the powers conferred by section 33 of the Cardamom Act, 1965 (42 of 1965), the Central Government hereby makes the following rules further to amend the Cardamom Rules 1966, namely :—

1. (1) These rules may be called the Cardamom (Amendment) Rules, 1984.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Cardamom Rules, 1966, in rule 4, in sub-rule (1), after clause (d) relating to the Labour Welfare Committee, the following shall be inserted, namely :—

“(e) Ammomun Cardamom Committee—An Ammomun Cardamom Committee consisting of :—

- (i) the Chairman who shall be the ex-officio Chairman of the Committee;
- (ii) the Vice-Chairman;
- (iii) the Director of Cardamom Development;
- (iv) the Development Commissioner of the Government of Sikkim;
- (v) the Director of Agriculture of the Government of Sikkim;
- (vi) the Additional Deputy Commissioner (Development) of the Government of West Bengal;
- (vii) the member representing the Ministry of Central Government dealing with Agriculture;
- (viii) two members representing the Cardamom growing interests, one each from the States of Sikkim and West Bengal;
- (ix) two members representing the Cardamom Trading interests, one each from the States of Sikkim and West Bengal;
- (x) one member being an exporter of ammomun cardamom;”.

[File No. 36/2/84-Plant (B)]

B. M. S. NEGI, Under Secy.

नई दिल्ली, 18 अगस्त, 1984

फा० सं० 2875. —केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में निम्नलिखित कार्यालयों को, जिनके कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. एन० टी० सी० (एम०पी०) लि०, इंदौर;
2. इंदौर मालवा यूनाइटेड मिल्स, इंदौर;
3. कल्याणमल मिल्स, इंदौर;
4. हीरा मिल्स, उज्जैन;
5. न्यू भोपाल टेक्सटाइल मिल्स, भोपाल;
6. बुरहानपुर ताप्ती मिल्स, बुरहानपुर;
7. बंगाल नागपुर काटन मिल्स, राजनंदगांव।

[फा० सं० ई-11011/12/76-हिंदी]

उमेश प्रसाद सिंह, निदेशक

New Delhi, the 18th August, 1984

S.O. 2875.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following Offices, the staff whereof have acquired the working knowledge of Hindi :—

1. N.T.C. (M.P.) Limited, Indore.
2. Indore Malva United Mills, Indore.
3. Kalyanmal Mills, Indore.
4. Heera Mills, Ujjain.
5. New Bhopal Textile Mills, Bhopal.
6. Burhanpur Tapti Mills, Burhanpur.
7. Bengal Nagpur Cotton Mills, Rajnandgaon.

[File No. E-11011/12/76-Hindi]

U. P. SINGH, Director

संयुक्त मुख्य निर्यात एवं आयात का कार्यालय

निस्तीकरण अदेश

कलकत्ता, 30 मार्च, 1984

फा० सं० 2876. —अप्रैल 83 से मार्च 83 तक की अवधि की आयात नीति के परिशिष्ट-5 के अनुसार एंड प्रोडक्ट्स प्लास्टीक इजर, डिटरजेंट पाउडर आदि के निर्माण के काम में प्रयुक्त होने वाले स्वीकृत कच्चे मालों/अवयवों/उपभोग किये जाने वाले पदार्थों के आयात के लिये एक लाख अड़सठ हजार रुपये का (रुपये 1,68,000-) एक वास्तविक प्रयोक्ता आयात लाइसेंस, संख्या पी०/एस०/1946377 दिनांक, 29-1-1983 मैसर्स अरविंद कैमीकल्स कार्लीपार्क, राजरहट, गोपालपुर जिला-24 परगना को मंजूर किया गया था।

आयात एवं निर्यात क्रिया-विधि 1983-84 की पुस्तिका के पैरा 393 के अनुसार प्राधिकारों ने एक शपथ पत्र प्रस्तुत किया है, जिसमें उन्होंने कहा है कि ल हाईस संख्या पी०/एस०/1946-377 दिनांक 29-1-83 जो एक लाख अड़सठ हजार रुपये (रुपये 1,68,000) का था और अप्रैल 83 से मार्च 83 तक की अवधि के लिए जारी किया गया था, उसकी विनिमय नियंत्रण प्रति उनके कार्यालय में कहीं खो गयी है।

उपर्युक्त लाइसेंस की सीमा शुल्क की प्रति को सीमा शुल्क कार्यालय, कलकत्ता में पंजीकृत किया गया है, और अप्रैल 83 से मार्च 83 तक की अवधि के लिये उसका पूर्ण रूप से उपयोग किया गया है। उक्त लाइसेंस को न किसी सीमा शुल्क प्राधिकरण के अन्तर्गत पंजीकृत किया गया है और न ही अप्रैल 84 से मार्च 84 की आयात एवं निर्यात नीति के खंड-1 के पैरा 33 (1) में निर्धारित प्रावधानों के अनुसार अप्रैल 84 से मार्च 84 तक की अवधि के लिये उपर्युक्त लाइसेंस के पुनः परिचालन के अन्तर्गत प्रयुक्त किया गया है, न ही इस सीमा तक किसी एल० सी० को खोल गया है। अतः फार्म ने अपने एक लाख अड़सठ हजार रुपये (रुपये 1,68,000) के वास्तविक प्रयोक्ता लाइसेंस संख्या पी० एस० 1946377 दिनांक 29-2-1983 जो लाइसेंस की पूरी कीमत एक लाख अड़सठ हजार रुपये (रुपये 1,68,000-) थी, अप्रैल 84 से मार्च 84 तक की अवधि के लिये पुनः परिचालन के उद्देश्य के लिये थी, के निरस्त होने पर लाइसेंस का विनियमन नियंत्रण प्रतिकी एक अनुलिपि को जारी करने के लिये आवेदन किया है।

मैं सन्तुष्ट हूँ कि उपर्युक्त लाइसेंस की विनियमन नियंत्रण प्रति नष्ट हो चुकी है। खो चुकी है। यथा संशोधित आयात (नियंत्रण) आदेश 1955 के उपबन्ध 9(1) (द) के अन्तर्गत जो शक्तिवा मंजूर दी गई है, उनका उपयोग करते हुए वास्तविक प्रयोक्ता लाइसेंस संख्या पी० एस० 1946377 दिनांक 29-1-1983 की विनियमन नियंत्रण की मूल प्रति को निरस्त किया जाता है। आयात एवं निर्यात क्रिया-विधि 1983-84 की पुस्तिका के पैरा 353-355 में निर्दिष्ट प्रावधानों के अनुसार, अप्रैल, 83 मार्च 83 तक की आयात एवं निर्यात नीति के खंड-1 के 33 (1) में निर्दिष्ट प्रावधानों के अनुसार पुनः परिचालन के लिये एक लाख अड़सठ हजार रुपये (रुपये 1,68,000) की पूरी कीमत के लाइसेंस संख्या पी० एस० 1946377 दिनांक 29 जनवरी 1983 की विनियमन नियंत्रण की मूल प्रति को निरस्त करने पर प्राथियों को अब आयात लाइसेंस संख्या डी 2468580 दिनांक 30-3-84 की विनियमन उद्देश्य की प्रति की एक अनुलिपि जारी कर दी गई है।

[संख्या डुप्लिकेट लाइसेंस जे० सी० सी० आई० एंड ई० कलकत्ता 5
आईपी० एंड सी०]

MINISTRY OF COMMERCE

(Office of the Jt. Chief Controller of Imports & Exports)

CANCELLATION ORDER

Calcutta, the 30th March, 1980

S.O. 2876.—M/s. Aravind Chemicals, Kali Park, Rajarhat, Gopalpur, District, 24-Parganas, were granted an AU Import Licence No. P/S/1946377 dated 29th January, 1983 for Rs. 1,68,000 for import of permissible raw materials, components/consumables as per App. 5 of Import Policy for AM'83 period required for the manufacture of End products plasticiser, detergent powder, etc.

The applicants have filed an affidavit as required under para 353 of Hand Book of Imports & Exports Procedures 1983-84, wherein they have stated that the Exchange control copy of the licence No. P/S/1946377 dated 29th January, 1983 for Rs. 1,68,000 issued for the period AM'83 has been lost/misplaced in their office. The Custom purpose copy of the said licence has since been registered with the Calcutta Customs and fully utilised during the period AM 83. The said licence has neither been registered with any Custom Authority and utilised against repeat operation of the above licence for the period AM'84 in terms of the provision contained in para 33(I) of the Import & Export Policy Vol. I for AM 84, nor any LC has been opened to this extent. The Firm have since requested for issue of a duplicate of the Exchange control copy of the licence in cancellation their AU Licence No. P/S/1946377 dated 29th January, 1983 for the full value of the licence i.e. Rs. 1,68,000 for the purpose of repeat operation for the period AM/84.

I am satisfied that the Exchange control copy of the licence as mentioned above has been lost/misplaced.

In exercise of the power conferred on me under clause 9(1)(d) of the Imports (Control) Order 1955, as amended, the said original Exchange Control copy of the AU licence No. P/S/1946377 dated 29th January, 1983 is hereby cancelled.

The applicants have now been issued duplicate Exchange purpose copy of the Import Licence No. D-2468580 dated 30th March, 1984 in cancellation of the original E/C copy of the licence No. P/S/1946377 dated 29th January, 1983, for full value of the licence i.e. Rs. 1,68,000 for the purpose of repeat operation in terms of the provision contained in 33(1) of the Import & Export Policy Vol. 1 for AM'83 in accordance with the provision of para 353—355 of Hand Book of Import & Export Procedure, 1983-84.

[No. Duplicate/Lic/JCCI&E/CAL/5/IP&C]

निरस्तीकरण आदेश

कलकत्ता, 28 अप्रैल, 1984

का.आ. 2877.—अप्रैल 82 से मार्च 82 की अवधि की आयात एवं निर्यात नीति के पैरा-186 के अनुसार, 26,75,700/ रुपये का एक अतिरिक्त लाइसेंस संख्या पी/डब्लू/2903429/सी दिनांक 12-3-82 मैसर्स हिन्दुस्तान शीट एंड मेटल कम्पनी लिमिटेड 1-बी, ओल्ड पोस्ट आफिस स्ट्रीट, कलकत्ता-700001 को मंजूर किया गया था।

प्राथियों ने एक आवेदन प्रस्तुत किया है जिसमें उन्होंने कहा है कि कथित अतिरिक्त लाइसेंस की सीमा शुल्क उद्देश्य की प्रति, उसके सीमा शुल्क कार्यालय कलकत्ता में पंजीकृत कराने और उसका आंशिक रूप से उपयोग करने के बाद खो गयी है/ नष्ट हो गयी है। आयात एवं निर्यात क्रिया-विधि 1984-85 के पैरा 353 में जैसा कहा गया है, उसके अनुसार उन्होंने इस सम्बन्ध में एक शपथ पत्र भी प्रस्तुत किया है। इस अतिरिक्त लाइसेंस की 9,59,338 रुपये की बकाया मूल्य/आयात/स्पष्टीकरण के लिये अपने 26,75,700 रुपये की कीमत के अतिरिक्त लाइसेंस संख्या पी/डब्लू/2903429/सी दिनांक 12-3-82 की सीमा शुल्क उद्देश्य की प्रति के निरस्त होने पर इस अतिरिक्त लाइसेंस में अनुशेष वस्तुओं का आयात/स्पष्टीकरण करने के लिये, अतिरिक्त

लाइसेंस के 9,59,338 रुपये के बकाया मूल्य के लिये इस लाइसेंस की सीमा शुल्क उद्देश्य की प्रति की एक अनुलिपि को जारी करने के लिये आवेदन किया है।

मैं सन्तुष्ट हूँ कि उर्युक्त अतिरिक्त लाइसेंस की सीमा शुल्क उद्देश्य की प्रति खो गयी है/नष्ट हो गयी है।

संशोधन किये गये आयात (नियंत्रण) आदेश 1955 के उपवाक्य 9(1)(द) के अन्तर्गत जो शक्तियाँ मुझे दी गई हैं, उनका उपयोग करते हुये 26,75,700/ रुपये के अतिरिक्त लाइसेंस संख्या पी/डब्ल्यू/2903429/सी. दिनांक 12-3-82 की सीमा शुल्क उद्देश्य की मूल प्रति को निरस्त कर दिया गया है। आयात एवं निर्यात क्रियाविधि 1984-85 की पुस्तिका के पैरा 353-355 में निर्दिष्ट प्रावधानों के अनुसार अतिरिक्त लाइसेंस संख्या पी/डब्ल्यू/2903429/सी. दिनांक 12-3-82 की सीमा शुल्क उद्देश्य की मूल प्रति के निरस्त कर देने के कारण अब प्राथियों को आयात लाइसेंस संख्या डी./2468584 दिनांक 28-4-1984 की सीमा शुल्क उद्देश्य की प्रति की एक अनुलिपि जारी कर दी गई है।

[फाइल संख्या डुप्लीकेट लाइसेंस/जे.सी.सी.आई.एण्ड ई./कलकत्ता/8/आई.पी.एण्ड सी. से जारी किया गया है।]

[फा० सं० डुप्लीकेट लाइसेंस/ज० सी० सी० आई० एण्ड ई०/कलकत्ता/8/आई पी एण्ड सी]

CANCELLATION ORDER

Calcutta, the 28th April, 1984

S.O. 2877.—M/s. Hindustan Sheet and Metal Co. Ltd., 1-B, Old Post Office Street, Calcutta-700001 were granted an additional licence No. P/W/2903429/C dated 12th March, 1982 for Rs. 26,75,700 in terms of para 186 of AM/82 policy period.

The applicants have submitted an application wherein they have stated that the Customs purpose copy of the said additional licence has been lost/misplaced after having been registered with the Calcutta Customs and utilised partly. They have filed an affidavit as required under para 353 of Hand Book of Import and Export Procedure 1984-85 to the effect. The firm have since requested for issue of a duplicate of Customs purpose copy of the licence in cancellation of their Customs purpose copy of the additional licence No. P/W/2903429/C dated 12-3-1982 for Rs. 26,75,700 for the balance value of importation/clearance of the materials against the additional licence in question.

I am satisfied that the customs purpose copy of the additional licence in question as mentioned above has been lost/misplaced.

In exercise of the powers conferred on me under Clause 9(1)(d) of the Imports (Control) Order, 1955 as amended, the said original customs purpose copy of the additional licence No. P/W/2903429/C dated 12-3-1982 for Rs. 26,75,700 is hereby cancelled. The applicants have now been issued with a duplicate Customs purpose copy of the import licence No. D-2468584 dated 28-4-1984 in cancellation of the original Customs purpose copy of the additional licence No. P/W/2903429/C dated 12-3-82 in accordance with the provision of para 353—355 of Hand Book of Import and Export Procedure 1984-1985.

[File No. Duplicate Licence/JCCI/CAL/8/IP&C]

निरस्तीकरण आदेश

कलकत्ता, 24 मई, 1984

का.आ. 2878:—अप्रैल 84—मार्च 84 की आयात एवं निर्यात नीति की पुस्तिका के खंड 1 के पैरा 61 के अनुसार कोक ओविन के लिये इमरजेंसी स्पेयर्स का आयात करने के लिये एक दो लाख रुपये का लाइसेंस संख्या आई/पी/3444192/सी/20/87/सी./83 दिनांक 16-6-83 मैसर्स दुर्गापुर प्रोजेक्ट्स लिमिटेड, एडमिनिस्ट्रेटिव बिल्डिंग दुर्गापुर को मंजूर किया गया था। सीमा शुल्क उद्देश्य की प्रति कलकत्ता सीमा शुल्क प्राधिकरण के अन्तर्गत पंजीकृत कराये बिना और उसका बिल्कुल उपयोग किये बिना, यह प्रति उनके कार्यालय में खो गयी है/नष्ट हो गयी है। इस आधार पर उपयुक्त कथन के समर्थन में जैसा कि आयात निर्यात क्रियाविधि 1984-85 की पुस्तिका के पैरा-353 में कहा गया है, प्रार्थी ने एक शपथ पत्र प्रस्तुत किया है।

मैं सन्तुष्ट हूँ कि उर्युक्त लाइसेंस की सीमा शुल्क उद्देश्य की मूल प्रति नष्ट हो चुकी है/खो चुकी है।

संशोधन किये गये आयात (नियंत्रण) आदेश-1955 के उपवाक्य-9 (आई)(डी.) के अन्तर्गत दी गई शक्तियों का उपयोग करते हुये दो लाख रुपये के मूल लाइसेंस संख्या आई.पी./1444192/सी/20/87/सी./83 दिनांक 16-6-83 की सीमा शुल्क उद्देश्य की प्रति को निरस्त कर दिया गया है।

आयात एवं निर्यात क्रियाविधि, 1984-85 की पुस्तिका के पैरा 353-355 के प्रावधानों के अनुसार इस दो लाख रुपये की पूरी कीमत के लाइसेंस संख्या आई.पी./1444192/सी./20/87/सी./83 दिनांक 16-6-83 के निरस्त कर देने पर अब प्राथियों को आयात लाइसेंस संख्या डी/2468585 दिनांक 24-5-1984 की सीमा शुल्क उद्देश्य की प्रति की अनुलिपि जारी कर दी गई है।

बी० ए० कुलकारनो

उप-मुख्य नियंत्रक, आयात एवं निर्यात
कृते संयुक्त मुख्य नियंत्रक आयात एवं निर्यात

[फाइल संख्या डुप्लीकेट/मिसिलेनियस/जे.सी.सी.आई.एण्ड ई./कलकत्ता/9/आई.पी.एण्ड सी.]

पृष्ठांकन संख्या डुप्लीकेट/मिसिलेनियस/जे.सी.सी.आई.एण्ड ई./कलकत्ता/9/आई.पी.एण्ड सी.।

CANCELLATION ORDER

Calcutta, the 24th May, 1984

S.O. 2878.—M/s. The Durgapur Projects Ltd., Administrative Building, Durgapur were granted an Import Licence No. I/P/1444192/C/XX/87/C/83 dated 16-6-83 for Rs. 2 Lakhs to import of Emergency Spares for Coke Oven in terms of Para-61 of the Import Policy Book Volume-1 for A-M'84. The firm have applied for issue of duplicate of Customs Purpose copy of the said licence on the ground that the original licence of the Customs Purpose Copy has been lost/misplaced in their office without having been registered with Calcutta Customs Authority and was not utilised at all. The applicant has filed an Affidavit in support of the above statement, as required under Para-353 of Hand Book of Imports and Exports Procedure. 1984-85.

I am satisfied that the original of the Customs Purpose Copy of the above mentioned licence has been lost/misplaced

In exercise of the powers conferred on me under Clause 9(1) (d) of the Imports (Control) Order, 1955 as amended, the Customs purpose Copy of the original licence No. I/P/1444192/C/XX/87/C/83 dated 16-6-83 for Rs 2 Lakhs is hereby cancelled

The applicants have now been issued duplicate of the Customs Purpose Copy of the Import Licence No. D-2468585 dt 24th May, 1984 in cancellation of the original licence No. I/P/1444192/C/XX/87/C/83 dated 16-6-83 for Rs 2 Lakhs for full value of the licence i.e. Rs 2 lakhs in accordance with the provision of Para 353-355 of Hand Book of Imports and Exports Procedure 1984-85

[Issued from File No. Duplicate/Misc./JCCI&E/Cal/9/IP&C]

निरस्तीकरण आदेश

का.भा. 2879—अप्रैल 1984 से मार्च 1984 तक की अवधि वाली आयात नीति पुस्तिका के खंड-1 के अनुसार मैसर्स कजरीवाल एंटरप्राइजिज, 5बी, क्लाइव घाट स्ट्रीट, कलकत्ता-1 को 1,73,21,700/- रुपये का एक अतिरिक्त आयात लाइसेंस मजूर किया गया था। फर्म ने कथित लाइसेंस के किसी भी सीमा शुल्क प्राधिकरण के अंतर्गत पंजीकृत किये और बिल्कुल भी उसका प्रयोग किये बिना दोनों प्रतियों के खो जाने/नष्ट हो जाने के आधार पर उपर्युक्त लाइसेंस की सीमा शुल्क उद्देश्य की प्रति तथा उसकी विनिमय नियंत्रण की अनुलिपि को जारी करने के लिये आवेदन किया है। जैसा कि आयात एवं निर्यात क्रिया विधि 1984-85 की पुस्तिका के पैरा संख्या 352 के अंतर्गत वांछनीय है, उसके अनुसार प्रार्थी ने उपर्युक्त कथन के समर्थन में एक शपथ पत्र भी प्रस्तुत किया है।

मे संतुष्ट हूँ कि उपर्युक्त लाइसेंस की सीमा शुल्क उद्देश्य और विनिमय नियंत्रण की दोनों ही प्रतियाँ खो चुकी हैं/नष्ट हो चुकी हैं। सशोधित किये गये आयात नियंत्रण (आदेश) 1955 के उपबन्ध 9(1)(d) के अंतर्गत जो शक्तियाँ मुझे दी गयी हैं, उनका उपयोग करते हुये 1,73,21,700/- रुपये के असली लाइसेंस संख्या पी डब्लू / 2968322/सी दिनांक 8-7-83 की सीमा शुल्क उद्देश्य एवं विनिमय नियंत्रण की दोनों ही प्रतियों को निरस्त कर दिया गया है।

आयात एवं निर्यात क्रिया विधि 1983-84 की पुस्तिका के पैरा 353-355 में निर्दिष्ट प्रावधानों के अनुसार 1,73,21,700/- रुपये तक की पूरी कीमत वार्षिक लाइसेंस संख्या डी -2468582 और डी 2468583 दिनांक 7/8 अप्रैल 1984 की विनिमय नियंत्रण एवं सीमा शुल्क उद्देश्य की दोनों प्रतियों की अनुलिपियों को अब प्रार्थी को जारी कर दिया गया है।

[फाइल संख्या डुप्लिकेट/मिसिलेनियस/जे सी.सी. आई. एण्ड ई /कलकत्ता/7/आई.पी. एण्ड सी. में जारी किया गया]।

CANCELLATION ORDER

SO 2879—M/s Kejriwal Enterprises, 5B, Clive Ghat Street, Cal-1 were granted an Additional import licence No P/W/2968322/C dated 8th July, 1983 for Rs 1,73,21,700 in terms of Para 186(1) of the Import Policy Book Volume-I for A M'84. The firm have applied for issue of duplicates of Customs purpose copy as well as Exchange Control Copy of the said licence on the ground that the original Licence of both the copies have been lost/misplaced without having been registered with any Customs Authorities and utilised at all. The applicant has filed an affidavit in support of the above statement, as required under para 353 of Hand Book of Import and Export Procedure 1983-84.

I am satisfied that the original of both the Customs purpose and Exchange Control copies of the above Licence has been lost/misplaced

In exercise of the powers conferred on me under Clause 9(1)(d) of the Imports (Control) Order 1955 as amended both the Customs purpose copy and the Exchange Control copy of the original licence No. P/W/2968322/C dated 8th July, 1983 for Rs 1,73,21,700 is hereby cancelled

The applicant has now been issued duplicate of both the copies i.e. Customs purpose and Exchange Control copy of the import licence No. D-2468582 and D 2468583 both dated 7/8th April, 1984 in cancellation of the original Licence No. P/W/2968322/C dated 8th July, 1983 for Rs 1,73,21,700 for full value of the licence i.e. Rs 1,73,21,700 in accordance with the provision of para 353-355 of Hand Book of Import and Export Procedure 1983-84.

[Issued from file No. Duplicate/Mus/JCCI&E/Cal/7,IP&C]

P K MUKHERJEE, Dy Chief Controller
of Imports and Exports
for Jt Chief Controller of Imports and Exports

निरस्तीकरण आदेश

का.भा. 2880—लाइसेंस के साथ सलग्न सूची के अनुसार स्टील के पाइप्स और ट्यूब्स के आयात के लिये, जो औद्योगिक प्रयोग के लिये एण्ड प्रोडक्ट फैब्रिकेटिड पाइप्स के निर्माण के लिये जरूरी है, 2,14,09,800/- रु० का एक आयात लाइसेंस संख्या पी /डी /1440231 दिनांक 6-9-79 मैसर्स स्टीवर्ट्स एण्ड लाइड्स इंडिया लिमिटेड 39, हाइड रोड, खिदिनपुर, कलकत्ता को मजूर किया गया था।

उन्होंने इस आधार पर कि लाइसेंस की सीमा शुल्क उद्देश्य की मूल प्रति के सीमा शुल्क प्राधिकरण में पंजीकृत कराये और पूरी तरह से उसका प्रयोग किये बिना खो गये हैं/नष्ट हो गये हैं, और धन राशि का जमा करने से सम्बन्धित विवरणों का इन्द्राज कराने के लिये और उसको रिजर्व बैंक आफ इंडिया में प्रस्तुत करने के लिये इस विनिमय नियंत्रण प्रति की उनका आवश्यकता है, उपर्युक्त आयात लाइसेंस की विनिमय नियंत्रण की प्रति की अनुलिपि को जारी करने के लिये आवेदन किया है।

आयात निर्यात क्रिया विधि 1983-84 की पुस्तिका के पैरा 353 में जैसा कहा गया है, उसके अनुसार अपने कथन के समर्थन में प्रार्थी ने एक शपथ पत्र प्रस्तुत किया है, जिसमें उन्होंने कहा है कि रिजर्व बैंक आफ इंडिया कलकत्ता में वित्त मंत्रालय, आर्थिक मामलों का विभाग, भारत सरकार, नई दिल्ली को आते समय जिसमें कथित लाइसेंस को पावती

सहित पंजीकृत डाक के अन्तर्गत भेजा गया था। 2,14,09,700/- रुपये के लाइसेंस संख्या पी./डी./1440231 दिनांक 6-9-79 की विनियम नियंत्रण की प्रति जो उन्हें जारी की गई थी, कहीं खो गयी है/नष्ट हो गयी है। कथित लाइसेंस की सीमा शुल्क उद्देश्य की प्रति सीमा शुल्क कार्यालय कलकत्ता में पंजीकृत हो चुकी है और उसका उपयोग पूरी तरह से किया गया है।

मैं सन्तुष्ट हूँ कि उपर्युक्त लाइसेंस की विनियम नियंत्रण की मूल प्रति खो गयी है/नष्ट हो गयी है।

संशोधन किये गये आयात (नियंत्रण) आदेश-1955 के अनुभाग 9(1)(द) के अन्तर्गत जो मुझे शक्तियाँ दी गई हैं, उनका उपयोग करते हुये 2,14,09,700 रुपये का लाइसेंस संख्या पी./डी./1440231/सी. दिनांक 6-9-79 की विनियम नियंत्रण की मूल प्रति को निरस्त कर दिया गया है।

आयात एवं निर्यात क्रिया विधि 1983-84 की पुस्तिका के पैरा 353-355 में निर्दिष्ट प्रावधानों के अनुसार जैसा कि प्रार्थी ने निवेदन किया है धन राशि को जमा कराने के और उसको रिजर्व बैंक आफ इंडिया में प्रस्तुत करने के उद्देश्य के लिये 18,19,453/- रुपये की कीमत के लाइसेंस संख्या पी./डी./1440231/सी. दिनांक 6-9-79 की विनियम नियंत्रण की मूल प्रति के निरस्त कर देने पर और प्रार्थी को आयात लाइसेंस संख्या डी./2468581 दिनांक 18-4-84 की विनियम नियंत्रण की प्रति को एक अनुलिपि जारी कर दी गई है।

[फाइल संख्या डब्ल्यूकेट/मिसिलेनियस/जे०सी.सी.आई. एण्ड ई./कलकत्ता/6/आई.पी.एण्डसी. से जारी किया गया]

बी० ए० कुलकर्णी

उप मुख्य नियंत्रक, आयात एवं निर्यात
कृते संयुक्त मुख्य नियंत्रक, आयात एवं निर्यात

CANCELLATION ORDER

S.O. 2880.—M/s. Stewarts and Llyods India Ltd., 39, Hide Road, Kidderpore, Calcutta were granted an import licence No. P/D/1440231 dated 6-9-79 for Rs. 2,14,09,700 for import of Steel pipes and tubes as per list attached to the licence required for the manufacture of end product Fabricated pipes works for industrial use.

They have applied for issue of a duplicate of exchange control copy of the above import licence on the ground that the original has been lost/misplaced after having been regd. with the Customs Authority at Calcutta and utilised fully and the said Exchange Control copy is required to enter particulars of remittance and submission of the same to RBI as requested by them.

The applicant has filed an affidavit in support of the above statements as required under para 353 of Hand Book of Import Export Procedure 1983-84 wherein they have stated that the Exchange Control copy of the licence No. P/D/1440231 dated 6-9-79 for Rs. 2,14,09,700 issued to them has been lost/misplaced while on transit from R.B.I. Calcutta to the Ministry of Finance, Deptt of Economic Affairs, Govt. of

India, New Delhi wherein the said licence was sent under Regd. A/D post. The Customs purpose copy of the said licence has since been regd. with the Calcutta Customs and fully utilised.

I am satisfied that the original Exchange Control copy of the above licence is lost/misplaced.

In exercise of the powers conferred on me under Section 9(1)(d) of the Imports (Control) Order 1955 as amended, the said original exchange control copy of the licence No. P/D/1440231/C dated 6-9-79 for Rs. 2,14,09,700 is hereby cancelled.

The applicant has now been issued with a duplicate Exchange Control copy of the Export licence No. D-2468581 dated 18th April, 1984 in cancellation of the original E.C. copy of licence No. P/D/1440231/C dated 6-9-79 for a value of Rs. 18,19,453 for the purpose of effecting remittance and submission to RBI, as requested by them in accordance with the provisions of para 353-355 of the Hand Book of Import and Export Procedure 1983-84.

[Issued from file No. Duplicate/Misc./JCCI&E/CAL/6-IP&C]

B. A. KULKARNI, Dy. Chief Controller of Imports & Exports for Jt. Chief Controller of Imports & Exports.

निरस्तीकरण आदेश संख्या 10/84

नई दिल्ली, 26 जून, 1984

का.आ. 2881:—1981-82 की आयात नीति की पुस्तिका में निर्दिष्ट पैरा 186 के अनुसार अनुमति प्राप्त वस्तुओं के आयात के लिये एक 25,34,000/- रुपये का एक अतिरिक्त लाइसेंस संख्या पी./डब्ल्यू./2903511/सी, दिनांक 25-3-82 मैसर्स मरुलीधर रतनलाल, 28 अमरटोला स्ट्रीट कलकत्ता-700001 को मंजूर किया गया था।

1983-84 की आयात-निर्यात क्रिया-विधि की पुस्तिका के पैरा संख्या 353 के अनुसार फर्म ने एक शपथ पत्र प्रस्तुत किया है जिसमें उन्होंने कहा है कि लाइसेंस की सीमा शुल्क प्रति में 8,00,000/- रुपये की बकाया धन राशि छोड़ते हुये 17,34,000 रुपये की सीमा तक उपभोग करने के बाद और उसको कलकत्ता सीमा शुल्क कार्यालय में पंजीकृत कराने के बाद लाइसेंस संख्या पी./डब्ल्यू./2903511/सी. दिनांक 25-3-82 की सीमा शुल्क प्रति उनके कार्यालय में खो गयी है/नष्ट हो गयी है। लाइसेंस संख्या पी./डब्ल्यू./2903511/सी. दिनांक 25-3-82 के निरस्त करने पर साइट ड्राफ्ट के आधार पर आठ लाख रुपये की निकासी की सीमा तक फर्म ने सीमा शुल्क उद्देश्य की अनुलिपि को जारी करने के लिये आवेदन किया है।

मैं सन्तुष्ट हूँ कि उपर्युक्त लाइसेंस की सीमा-शुल्क उद्देश्य की प्रति खो गयी है/नष्ट हो गयी है। संशोधन किये गये आयात नियंत्रण (आदेश) 1955 के उपबन्ध 9(1)(द) के अन्तर्गत जो शक्तियाँ मुझे दी गयी हैं, उनका उपयोग करते हुये मैंने अतिरिक्त लाइसेंस संख्या पी./डब्ल्यू./2903511 सी. दिनांक 25-3-82 की सीमा शुल्क उद्देश्य की मूल प्रति को निरस्त कर दिया है।

साइट ड्राफ्ट के आधार पर आयी हुई वस्तुओं की निकासी के उद्देश्य के लिये लाइसेंस संख्या पी. डब्ल्यू./2903511/सी. दिनांक 25-3-84 की सीमा शुल्क उद्देश्य की मूल प्रति

के निरस्त करने पर अब फर्म को आठ लाख रुपये की बकाया धनराशि के लाइसेंस संख्या डी-2468586 दिनांक 26-6-84 की सेवा शुल्क उद्देश्य की एक अनुलिपि जारी कर दी गयी है। वर्ष 1984-85 की आयात-निर्यात क्रिया विधि की पुस्तिका में निदिष्ट पैरा 353-355 में निर्धारित प्रावधानों के अनुसार ऐसा किया गया है।

[फाइल संख्या दुर्लोक/लाइसेंस/जे.सी.सी.आई.एण्ड ई./कलकत्ता/आई.पी.एण्ड.सी./84 85 में जारी किया गया]

एस. मुखर्जी,

उप मुख्य नियंत्रक, आयात एवं निर्यात
कृते संयुक्त मुख्य नियंत्रक, आयात एवं निर्यात

New Delhi, the 26th June, 1984

CANCELLATION ORDER NO. 10/84

S.O. 2881.—M/s. Murlidhar Ratanlal, 28, Amratolla Street, Calcutta-700001, were granted an Addl Licence No. P|W|2903511/C, dt. 25-3-82 for Rs. 25,34,000 for Import of goods as permitted under Para 186 of Import Policy Book for 1981-82.

The firm have filed an affidavit as required under Para 353 of Hand Book of Import-Export Procedure for 1983-84, where in they have stated that the custom purpose copy of licence No. P|W|2903511/C, dt. 25-3-82 has been lost/misplaced in their office after registered with the Calcutta Customs and utilised to the extent of Rs. 17,34,000 leaving a balance of Rs. 8,00,000 in the C.P. copy of the licence. The firm have requested for issue of a duplicate of the custom purpose copy of the licence in cancellation of licence No. P|W|2903511/C dt. 25-3-82, for clearance to the extent of Rs. 8,00,000 on sight draft basis.

I am satisfied that the custom purpose copy of the above mentioned licence has been lost/misplaced.

In exercise of the power conferred on me under clause 9(1)(d) of the Import (Control) Order, 1955 as amended I hereby cancel the said original custom purpose copy of the Addl. Licence No. P|W|2903511/C dated 25-3-82.

The firm have now been issued with a duplicate customs purpose copy of Import Licence No. D-2468586 dt. 26-6-84 for the balance of Rs. 8,00,000 in cancellation of the original C.P. copy of licence No. P|W|2903511/C dt. 25-3-84 for the purpose of clearance of the goods arrived on sight draft basis. This is done in accordance with the provision of paras 353-355 of Hand Book of Import-Export Procedure for 1984-85.

[Issued from file No. Duplicate/Lic./ICCI/CAL/IP&C/84-85]

S. MUKHERJEE, Dy. Chief Controller
of Imports and Exports
for H. Chief Controller of Imports and Exports.

विदेश मंत्रालय

नई दिल्ली, 18 अगस्त, 1984

एस.ओ. 2882—राजनयिक एवं कोसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 की धारा 2 के खंड (क) के अनुपालन में केन्द्र सरकार इसके द्वारा, जैदा स्थित भारतीय राजदूतावास में सहायक श्री एस.डी. शर्मा को 16 अगस्त, 1984 से कोसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/2/84]

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 18th August, 1984

S.O. 2882.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri S. D. Sharma, Assistant in the Embassy of India, Jeddah to perform the duties of Consular Agent with effect from 16th August, 1984.

[No. T. 4330/2/84]

नई दिल्ली, 22 अगस्त, 1984

कां.आ. 2883—राजनयिक एवं कोसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 की धारा 2 के खंड (क) के अनुपालन में केन्द्र सरकार इसके द्वारा, बहरीन स्थित भारतीय राजदूतावास में सहायक श्री के.जी. मोहन चन्द्रन को 1-7-1984 से कोसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/2/84]

बी.एस. निडर, अवर सचिव

New Delhi, the 22nd August, 1984

S.O. 2883.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officer (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri K. G. Mohanachandran, Assistant in the Embassy of India, Bahrain to perform the duties of Consular Agent with effect from 1st July, 1984.

[No. T. 4330/2/84]

B. S. NIDDER, Under Secy.

ऊर्जा मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 18 अगस्त, 1984

कां.आ. 2884.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जोताना जी.जी.एस. में सोमासन सी.सी.एफ. तक पेट्रोलियम के परिवहन के लिये पार्श्वलाईन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि एसी लाईनों को बिछाने के प्रयोजन के लिये एतद्पत्रावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पार्श्वलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा,

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी गुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जोटाना श्री जी.एस. मे सोमासन सी.टी.एफ. तक पाईप लाइन बिछाने के लिए

राज्य : गुजरात		जिला एवं तालुका : महेसाना		
गांव	सर्वे नं०	हेक्टर	आर	सेंटीयर
जोटाना	1247	0	07	60

[सं० ओ-12016/84/84-ओ एन जी डी-4]

MINISTRY OF ENERGY

(Department of Petroleum)

New Delhi, the 18th August, 1984

S.O. 2884.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Jotana GGS to Sobhasan CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline for Jotana GGS to Sobhasan CTF

State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hectare	Are	Centiare
Jotana	1247	0	07	60

[No. O-12016/84/84-ONGD 4]

का०आ० 2885.—यतः पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का०आ०सं० 3624 तारीख 24-9-83 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाईन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था,

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है, कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड, मुंबई के क्षेत्रीकरण में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

पाईप लाईन चिखली गांव से, तालुका : हवेली, जिला : पुणे महाराष्ट्र

गांव	खसरा नम्बर	हिस्सा नंबर	क्षेत्रफल	
			हेक्टर	ऐयर
1	2	3	4	5
चिखली	539 का भाग	—	01	01
	606	—	00	37
	648 "	—	00	01
	649 "	—	00	11
	650 "	—	00	01
	652	—	00	26
	659	—	00	09
	669 "	—	00	06

1	2	3	4	5	1	2	3	4	5
चिखली—जारी	670 का भाग	—	00	05	चिखली—जारी	1210 „	—	00	01
	671	—	00	06		1325 „	—	00	28
	672	—	00	06		1326 „	—	00	14
	673 „	—	00	06		1335 „	—	00	02
	677 „	—	00	16		1336 „	—	00	10
	706 „	—	00	09		1469 „	—	00	25
	707 „	—	00	04		1532 „	—	00	05
	708	—	00	04		1537 „	—	00	10
	710	—	00	08		1539 „	—	00	05
	717 „	—	00	01		1540 „	—	00	09
	718	—	00	08		1541 „	—	00	06
	719	—	00	07		1548 „	—	00	25
	720 „	—	00	03		1551 „	—	00	06
	871	—	00	16		1605 „	—	00	20
	872	—	00	05		1606 „	—	00	04
	873	—	00	14		1607 „	—	00	04
	874	—	00	05		1608 „	—	00	05
	877 „	—	00	06		1609 „	—	00	10
	895	—	00	11		1623 „	—	00	02
	896 „	—	00	05					
	898	—	00	06					
	899	—	00	24					
	900 „	—	00	08					
	897 „	—	00	04					
	933 „	—	00	15					
	937 „	—	00	01					
	938 „	—	00	01					
	939 „	—	00	01					
	941 „	—	00	04					
	942 „	—	00	03					
	943 „	—	00	08					
	1187 „	—	00	03					
	1189 „	—	00	05					
	1190 „	—	00	03					
	1191 „	—	00	05					
	1192 „	—	00	12					
	1193 „	—	00	23					
	1195 „	—	00	12					
	1196 „	—	00	05					
	1197 „	—	00	02					
	1202 „	—	00	07					
	1203 „	—	00	08					
	1204 „	—	00	08					
	1205 „	—	00	05					
	1206 „	—	00	02					
	1207 „	—	00	05					
	1208 „	—	00	05					
	1209 „	—	00	06					

[सं० 0-12016/110/83-प्रोड०]

S.O. 2885.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S.O. 3624 (O-12016/110/83-Prod.) dated 24-9-83 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government;

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification are hereby acquired for laying the pipelines;

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Hindustan Petroleum Corp. Ltd., Bombay free from all encumbrances.

SCHEDULE

Pipeline from village Chikhali

Taluka : Haveli, Distt : Pune, Maharashtra

Village	Survey No.	Hissa No.	AREA	
			H	R
1	2	3	4	5
Chihhali	539 Part	—	01	01
	606 „			37

1	2	3	4	5	1	2	3	4	5		
Chikhali—Contd.	648	Part	—	00	01	Chikhali—Contd.	1210	Part	—	00	01
	649	"	—	00	11		1325	"	—	00	28
	650	"	—	00	01		1326	"	—	00	14
	652	"	—	00	26		1335	"	—	00	02
	659	"	—	00	09		1336	"	—	00	10
	669	"	—	00	06		1469	"	—	00	25
	670	"	—	00	05		1532	"	—	00	05
	671	"	—	00	06		1537	"	—	00	10
	672	"	—	00	06		1539	"	—	00	05
	673	"	—	00	06		1640	"	—	00	09
	677	"	—	00	16						
	706	"	—	00	09		1541	"	—	00	06
	707	"	—	00	04		1548	"	—	00	25
	708	"	—	00	04		1551	"	—	00	06
	710	"	—	00	08		1605	"	—	00	20
	717	"	—	00	01		1606	"	—	00	04
	718	"	—	00	08		1607	"	—	00	04
	719	"	—	00	07		1608	"	—	00	05
	720	"	—	00	03		1609	"	—	00	10
	871	"	—	00	16		1523	"	—	00	02
	872	"	—	00	05						
	873	"	—	00	14						
	874	"	—	00	05						
	877	"	—	00	06						
	895	"	—	00	11						
	896	"	—	00	05						
	898	"	—	00	06						
	899	"	—	00	24						
	900	"	—	00	08						
	897	"	—	00	04						
	933	"	—	00	15						
	937	"	—	00	01						
	938	"	—	00	01						
	937	"	—	00	01						
	941	"	—	00	04						
	942	"	—	00	03						
	943	"	—	00	08						
	1187	"	—	00	03						
	1189	"	—	00	05						
	1179	"	—	00	03						
	1191	"	—	00	05						
	1192	"	—	00	12						
	1193	"	—	00	23						
	1195	"	—	00	12						
	1196	"	—	00	05						
	1197	"	—	00	02						
	1202	"	—	00	07						
	1203	"	—	00	08						
	1204	"	—	00	08						
	1205	"	—	00	05						
	1206	"	—	00	02						
	1209	"	—	00	05						
	1208	"	—	00	05						
	1207	"	—	00	06						

[No. O-12016/101/83-Prod.]

नई दिल्ली, 22 अगस्त, 1984

का०आ०2886.—अतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जोटाना जी०जी०एस० से सोभासन सी०टी०एफ० तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और यतः यह प्रतीत होता है कि ऐसे लाईनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइप लाईन, (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है ;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे, पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत ।

[No. O-12016/101/83-Prod.]

नई दिल्ली, 22 अगस्त, 1984

का०प्रा० 2886.—अतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जोटाना जी०जी०एस० से सोभासन सी०टी०एफ० तक पेट्रोलियम के परिवहन के लिए पाईप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और यतः यह प्रतीत होता है कि ऐसे लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाईप लाइन, (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है ;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे, पाईप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जोटाना जी.जी.एस. से सोभासन सी.टी.एस. तक पाइपलाइन
बिछाने के लिए

राज्य : गुजरात	जिला एवं तालुका : मेहसाना			
गाँव	ब्लॉक नं.	हेक्टर	गार	सेन्टिगैर
मोदीपुर	129	0	32	80
	कार्ट ट्रैक	0	00	75
	133	0	00	25
	134	0	25	60
	137	0	33	40
	145	0	20	40
	141	0	03	00
	144	0	11	80
	142	0	03	60
	143	0	00	50
	304	0	05	00
	303	0	40	20
	296	0	24	00
	193/ए	0	34	00
	287	0	50	00
	288	0	00	25
	8	0	09	00
	9	0	02	00
	11	0	07	20
	12	0	10	60
	13	0	05	60
	14	0	06	60

[सं. ओ-12016/85/84-ओ.एन.जी.डी. 4]

New Delhi, the 22nd August, 1984

S.O. 2886.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Jotana GGS to Sobhasan CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Jotana GGS to Sobhasan CTF.
State : Gujarat District & Taluka : Mehsana

Village	Block No.	Hec.	Area	Centiare
Modipur	129	0	32	80
	Cart track	0	00	75
	133	0	00	25
	134	0	25	60
	137	0	33	40
	145	0	20	40
	141	0	03	00
	144	0	11	80
	142	0	03	60
	143	0	00	50
	304	0	05	00
	303	0	40	20
	296	0	24	00
	193/A	0	34	00
	287	0	50	00
	288	0	00	25
	8	0	09	00
	9	0	02	00
	11	0	07	20
	12	0	10	60
	13	0	05	60
	14	0	06	60

[No. O-12016/85/84-ONGD-4]

का.आ. 2887:—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का.आ.सं. 4510 तारीख 17-12-83 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है, कि इस अधिसूचना से

संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मुम्बई के क्षेत्रीकरण में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

पाइपलाइन मोशी गांव से, तालुका—हवेली, जिला—पुणे, महाराष्ट्र

गांव	खसरा नम्बर	हिस्सा नम्बर	क्षेत्रफल	
			हेक्टर	ऐयर
मोशी	442 का भाग	—	00	79
	446 „	—	00	04
	450 „	—	00	55
	452 „	—	00	30
	456 „	—	00	46
	457 „	—	00	09
	458 „	—	00	06

[सं. 0-12016/134/83-प्रोड.]

S.O. 2887.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S.O. 4510 (12016/134/83-Prod.) dated 17-12-83 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification are hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the

publication of this declaration in the Hindustan Petroleum Corp. Ltd., Bombay free from all encumbrances.

SCHEDULE

Pipeline from the village Moshi, Taluka : Haveli
Dist : Pune, Maharashtra

Village	Survey No	Hissa No.	AREA	
			Gut No	H. R.
Moshi	442 Part	—		00=79
	446 „	—		00=04
	450 „	—		00=55
	452 „	—		00=30
	456 „	—		00=46
	457 „	—		00=09
	458 „	—		00=06

[No. O-12016/134/83-Prod.]

का.आ. 2888.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का.आ.सं. 3622 तारीख 24-9-83 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है, कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मुम्बई के क्षेत्रीकरण में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

प्रसूची

पाइपलाइन मोश गांव मे, तालुका—हवेली, जिला—पुणे,
महाराष्ट्र

गांव	खसरा नम्बर	हिस्सा नम्बर	क्षेत्रफल	
			हेक्टर	एयर
मोशी	447 का भाग	—	00	27
	448	—	00	33
	450	—	00	35
	851	—	00	24
	869	—	00	56
	876	—	00	12
	879	—	00	02
	880	—	00	32
	881	—	00	07
	899	—	00	14
	903	—	00	26
	904	—	00	28
	905	—	00	05
	1062	—	00	08
	1063	—	00	22
	1163	—	00	01
	1164	—	00	04
	1165	—	00	04
	1166	—	00	25
	1167	—	00	24
	1177	—	00	05
	1178	—	00	03
	1189	—	00	02
	1180	—	00	02
	1181	—	00	09
	1192	—	00	04
	1191	—	00	14
	1192	—	00	11
	1195	—	00	18
	1199	—	00	56
	1200	—	00	01
	1201	—	00	11

[सं 0-12016/108/83-प्रोड]

S.O. 2888—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S.O. 3622 (12016/108/83-Prod.) dated 24-9-83 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification are hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Hindustan Petroleum Corp. Ltd. Bombay free from all encumbrances.

SCHEDULE

Pipeline passing through Village Moshi

Taluka : Haveli, Dist. Pune, State : Maharashtra.

Village	Survey No. Gut No.	Hissa No.	AREA	
			H.	R
Moshi	447	—	00	27
	448	—	00	33
	450	—	00	35
	851	—	00	24
	869	—	00	56
	876	—	00	12
	879	—	00	02
	880	—	00	32
	881	—	00	07
	899	—	00	14
	903	—	00	26
	904	—	00	28
	905	—	00	05
	1062	—	00	08
	1063	—	00	22
	1163	—	00	01
	1164	—	00	04
	1165	—	00	04
	1166	—	00	25
	1167	—	00	24
	1177	—	00	05
	1178	—	00	03
	1179	—	00	02
	1180	—	00	02
	1181	—	00	09
	1182	—	00	04
	1191	—	00	14
	1192	—	00	11
	1195	—	00	18
	1199	—	00	56
	1200	—	00	01
	1201	—	00	11

[No. O-12016/108/83-Prod]

का.आ. 2889:—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (पेट्रोलियम विभाग) को अधिसूचना का.आ.स. 2576 तारीख 18-6-83 द्वारा केन्द्रीय सरकार ने उम अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है, कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उम धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड मुम्बई के क्षेत्रीकरण में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

पाइप लाइन गाँव कोलावडी से लोणी कालभोर तक,
तालुका—हवेली, जिला—पुणे, महाराष्ट्र।

गाँव	खसरा नम्बर	हिस्सा नम्बर	क्षेत्रफल हेक्टर	गैयूर
1	2	3	4	5
कोलावडी	300 का भाग	—	00	10
	301 ..	—	00	22
	302 ..	—	00	15
	303 ..	—	00	14
	304 ..	—	00	10
	305 ..	—	00	09
	306 ..	—	00	23
	307 ..	—	00	07
	308 ..	—	00	06
	310 ..	—	00	05
	311 ..	—	00	11

अनुसूची

1	2	3	4	5
	312 ..	—	00	04
	313 ..	—	00	05
	322 ..	—	00	09
	325 ..	—	00	01
	326 ..	—	00	06
	327 ..	—	00	02
	328 ..	—	00	04
	331 ..	—	00	04
	371 ..	—	00	08
	372 ..	—	00	07
	378 ..	—	00	38
	397 ..	—	00	07
	394 ..	—	00	11
	395 ..	—	00	05
	396 ..	—	00	21
	387 ..	—	00	12
	388 ..	—	00	17
	389 ..	—	00	13
	390 ..	—	00	02
लोणी	92 ..	—	00	45
कालभोर	93 ..	—	00	18
	94 ..	—	00	05
	95 ..	—	00	07
	96 ..	—	00	07
	104 ..	—	00	11
	103 ..	—	00	08
	112 ..	—	00	14
	116 ..	—	00	06
	117 ..	—	00	03
	118 ..	—	00	10
	120 ..	—	00	11
	121 ..	—	00	07
	122 ..	—	00	05

[सं 12016/59/83—प्रौड]

S.O. 2889.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S.O. 2576 (O-12016/59/83-Prod.) dated 18-6-83 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the

said lands specified in the schedule appended to this notification are hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Hindustan Petroleum Corp. Ltd. Bombay free from all encumbrances

SCHEDULE

Pipeline from village Kolawdi to Loni Kalbhori,
Taluk : Haveli, Dist : Pune, Maharashtra.

Village	Survey No.	Hissa No.	Area	
	Gat No.		H.	R.
Kolawdi	300 Part	—	0010	
	301 „	—	0022	
	302 „	—	0015	
	303 „	—	0014	
	304 „	—	0010	
	305 „	—	0009	
	306 „	—	0023	
	307 „	—	0007	
	308 „	—	0006	
	310 „	—	0005	
	311 „	—	0011	
	312 „	—	0004	
	313 „	—	0005	
	322 „	—	0009	
	325 „	—	0001	
	326 „	—	0006	
	327 „	—	0002	
	328 „	—	0004	
	331 „	—	0004	
	371 „	—	0008	
	372 „	—	0007	
	378 „	—	0038	
	397 „	—	0007	
	394 „	—	0011	
	395 „	—	0005	
	396 „	—	0021	
	387 „	—	0012	
	388 „	—	0017	
	389 „	—	0013	
	390 „	—	0002	
Loni Kalbhori	92 „	—	0045	
	93 „	—	0018	
	94 „	—	0005	
	95 „	—	0007	
	96 „	—	0007	
	104 „	—	0011	
	103 „	—	0008	
	112 „	—	0014	
	116 „	—	0006	
	117 „	—	0003	
	118 „	—	0010	
	120 „	—	0011	
	121 „	—	0007	
	122 „	—	0005	

का.आ. 2890—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में बम्बई से पुणे तक पेट्रोलियम पदार्थों के परिवहन के लिए पाइप लाईन हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लि. द्वारा बिछाई जानी चाहिये।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदपावब अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, बम्बई पुणे पाइप लाइन्स प्रोजेक्ट फ्युअल रिफायनरीज, कारिडॉर रोड, बम्बई को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

पाइप लाइन गाँव कोलावडी से लोणी कालभोर तक,
तालुका—हवेली, जिला—पुणे, महाराष्ट्र।

गाँव	खसरा नंबर	हिस्सा नम्बर	क्षेत्रफल	
			हेक्टर	ऐयर
1	2	3	4	5
कोलावडी	313 का भाग	—	00	58
	312 „	—	00	10
	167 फारेस्ट	—	00	9
लोणी	50 का भाग	—	00	1 25
कालभोर	51 „	—	00	31 70
	53 „	—	00	27 00
	68 „	—	00	03 00
	67 „	—	00	03 75
	65 „	—	00	06 75
	64 „	—	00	03 00
	63 „	—	00	04 00
	78 „	—	00	04 00
	91 „	—	00	02 00
	90 „	—	00	08 25
	89 „	—	00	03 00
	85 „	—	00	03 00

1	2	3	4	5	1	2	3	4
लोगे	116 का भाग	—	00	01	25	Lonikalbhor	64 Part	— 00 03 00
कालभोर	117 „	—	00	03	00		63 „	— 00 04 00
	118 „	—	00	09	50		78 „	— 00 04 00
	119 „	—	00	02	00		91 „	— 00 02 00
	120 „	—	00	07	00		90 „	— 00 08 25
	121 „	—	00	10	00		89 „	— 00 03 00
	123 „	—	00	01	00		85 „	— 00 03 00
	122 „	—	00	02	25		116 „	— 00 01 25
		—	00	07	00		117 „	— 00 03 00
177 „		—	00	06	50		118 „	— 00 09 50
178 „		—	00	01	75		119 „	— 00 02 00
84 „		—	00	03	00		120 „	— 00 07 00
83 „		—	00	02	50		121 „	— 00 10 00
							123 „	— 00 01 00
							122 „	— 00 02 25
							177 „	— 00 06 50
							178 „	— 00 01 75
							84 „	— 00 03 00
							83 „	— 00 02 50

[सं. O-12016/98/84-ओएनजीडी 4]

S.O.2890.—Whereas it appears to Central Government that it is necessary to lay a pipeline for transporting Petroleum Products from Bombay to Pune in the State of Maharashtra through Pipe-line and that said Pipe-line is to be laid through the agency of Hindustan Petroleum Corporation Limited, Bombay.

And whereas it appears to Central Government that for laying pipe-line it is necessary to acquire the Right of User in respect of the lands appended to herewith in schedule.

Now, therefore, in exercise of the powers vested in them by virtue of Section 3(j) of Petroleum and Minerals Pipe-lines (Acquisition of Right of User in Land) AO 1962 (50 of 1962) Central Government notify their intention to acquire the Right of user in the lands referred to above.

Any person having his interest in the lands referred to above having any objection for laying the Pipe-line through above mentioned lands may prefer an objection within 21 days of the publication of the notification before the competent authority Hindustan Petroleum Corporation Limited, Bombay Pune Pipeline Project, Fuels Refinery, Corridor Road, Bombay-74.

All persons having any objection may also state whether they want to be heard in person either himself or through any lawyer appointed by him.

SCHEDULE

Pipe line from Village Kolavadi to Loni kalbhor
Taluka Haveli : District : Pune

Village	Survey No	Hissa No.	AREA
	Gat No		H. R.
1	2	3	4
Kolavadi	313 Part	— 00	58 00
	312 „	— 00	10 00
	167 (Forest)	— 00	9 00
Lonikalbhor	50 Part	— 00	1 25
	51 „	— 00	31 20
	53 „	— 00	27 00
	68 „	— 00	03 00
	67 „	— 00	03 75
	65 „	— 00	06 75

[No. O-12016/98/84-ONGD4]

क्रम सं० 842 दि. 6/3/84 की अधिसूचना के लिए शुद्धि-पत्र

का० आ० 2891 :—भारत के राजपत्र में प्रकाशित का.आ. 842 दि. 6-3-84 की अधिसूचना में इंडियन आयल कारपोरेशन (आसाम आयल डिबिजन) द्वारा डिगबोई-तिनसुकिया पेट्रोलियम उत्पाद पाइप लाइन बिछाने के लिए (सरकारी जमीन) निम्नलिखित सशोधन प्रतिस्थापित किए जाए

- (1) क्रम सं० 4, 5, 6, 7 और 8 में 'टिंगलिंग' मौजा के स्थान पर 'टिंगराई मौजा' पढ़ें।
- (2) क्रम सं० 3 में दाग नं० 451 के सामने जमीन का क्षेत्रफल '0-0-0' के स्थान पर कृपया '0-1-0' पढ़ें।
- (3) क्रम सं० 19 में दाग नं० '502' के स्थान पर कृपया दाग नं० '502/4619' पढ़ें।
- (4) क्रम सं० 19 में दाग नं० '3051' के स्थान पर कृपया दाग नं० '3501' पढ़ें।

[सं० O-12016/4/84-प्रोड]

पी०के० राजागोपालन, डेप्टी अधिकारी

CORRIGENDUM TO NOTIFICATION

SERIAL NO. 842 Dated 6-3-84

S.O.2891.—In the Gazette Notification Serial No. S.O. 842 dated 6th March, 1984 for Government Land for laying of Digboi Tinsukia Petroleum Product Pipeline by Indian Oil Corporation Limited (Assam Oil Division), the following will be substituted.

In Serial No. 4, 5, 6, 7, & 8 please read "Tingrai Mouza" in place of "Tipling Mouza".

2. In Serial No. 3 the area of land should be read as "0—1—0" in place of "0—0—0" against Dag No. 451.
3. In Serial No. 19 please read Dag No. as "502/4619" in place of Dag No. "502".
4. In Serial No. 19 in place of "Dag No. 3051" please read as "Dag No. 3501".

[No. O12016/4/84-Prod.]

P. K. RAJAGOPALAN, Desk Officer

नई दिल्ली, 27 अगस्त, 1984

का०आ० 2892—केन्द्रीय सरकार सार्वजनिक परिसर (अनधिकृत अधिभोक्ता की बेदखली) अधिनियम, 1971 (1971 का 10) की धारा 3 के अधीन प्रदत्त शक्तियों का प्रयोग करने हुए, एतद्वारा भारत सरकार, ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना संख्या का.आ. म. 3523 में निम्नलिखित संशोधन करती है अर्थात् :—

उपर्युक्त अधिसूचना में 'प्रधान अधिकारी' के स्थान पर "प्रशासन अधिकारी" प्रतिस्थापित किया जाए ।

[फाइल सं० 30027/24/82-पी.सी.-III]

एम.एम. दारबारी, उप सचिव,

New Delhi, the 27th August, 1984

S.O.2892.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Energy (Department of Petroleum) No. S.O. 3523, dated the 22nd September, 1982, namely :—

In the said notification, for the words 'Principal Officer', the words "Administration Officer" shall be substituted.

[F. No. 30027/24/82-PC. III]

M. S. DARBARI, Dy. Secy

कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

आदेश

नई दिल्ली 7 अगस्त, 1984

का० आ० 2893—चूँकि वेतन और लेखा अधिकारी, विभागीय लेखा संगठन कृषि मंत्रालय (कृषि और सहकारिता विभाग) नई दिल्ली का, अनुशासनिक प्राधिकारी के रूप में नामोद्घोषित किया गया है, जो विभागीय लेखा संगठन में समूह 'घ' के सभी पदों के संबंध में केन्द्रीय सिविल सेवा वर्गीकरण, नियंत्रण तथा अपील नियमावली 1965 की अनुसूची के भाग 1 के अनुसार सभी प्रकार के दण्ड निर्धारित करने के लिए सक्षम है।

और यह कि श्री ड० सेल्वाराज, चंपरासी, वेतन और लेखा कार्यालय, मद्रास को भारी दण्ड देने के लिए उनके विरुद्ध अनुशासन कार्यवाही शुरू की गयी है।

और यह कि श्री ड० सेल्वाराज, चंपरासी को तत्कालीन भारतीय लेखा विभाग/भूतपूर्व मुख्य वेतन और लेखा कार्यालय (सप्लाई) में उप मुख्य वेतन और लेखा अधिकारी द्वारा चंपरासी के पद पर नियुक्त किया गया था, जो कि वेतन और लेखा अधिकारी, जिन्हें विभागीय लेखा संगठन, कृषि मंत्रालय, (कृषि और सहकारिता विभाग) में समूह 'घ' के कर्मचारियों के लिए अनुशासनिक प्राधिकारी के रूप में नामोद्घोषित किया गया है, के स्तर में उच्च प्राधिकारी है।

अतः अब राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियमावली 1965 के नियम 12 के उपनियम (2) के अनुच्छेद (ख) तथा नियम 21 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा यह निर्धारित करने है कि विभागीय लेखा संगठन, कृषि मंत्रालय (कृषि और सहकारिता विभाग) नई दिल्ली में लेखा नियंत्रक तथा मुख्य लेखा नियंत्रक श्री सेल्वाराज, जिनके विरुद्ध अनुशासनिक कार्यवाही करने का विचार है, के मामले में क्रमशः तदर्थ अनुशासनिक प्राधिकारी तथा अपील प्राधिकारी के रूप में कार्य करेंगे। इस प्रकार नियुक्त किया गया तदर्थ अनुशासनिक प्राधिकारी केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियमावली, 1965 के अंतर्गत दी गई व्यवस्था के अनुसार कोई भी दण्ड निर्धारित करने का अधिकारी है।

[संख्या 2/11/83-स्थापना-7]
वीरेंद्र कोहली, निदेशक (कार्मिक)

MINISTRY OF AGRICULTURE

(Department of Agriculture and Cooperation)

ORDER

New Delhi, the 7th August, 1984

S.O.2893—Whereas the Pay and Accounts Officer, Departmental Accounting Organisation, Ministry of Agriculture (Department of Agriculture and Cooperation) New Delhi has been designated as the disciplinary authority competent to impose all penalties as per Part IV of the Schedule to the Central Civil Service (Classification Control and Appeal) Rules, 1965, in relation to all Group 'D' posts in the Departmental Accounting Organisation.

And whereas disciplinary proceedings for imposition of a major penalty have been initiated against Shri F. Selvaraj, Peon, Pay and Accounts Office, Madras,

And whereas Shri F. Selvaraj, Peon was initially appointed as Peon in the erstwhile Indian Audit Department/ex-Chief Pay and Accounts Office by the Deputy Chief Pay and Accounts Officer (Supply) who is an authority higher in status than Pay and Accounts Officer designated as disciplinary authority for Group 'D' employees in the Departmental Accounting Organisation, Ministry of Agriculture (Department of Agriculture and Cooperation).

Now, therefore, in exercise of the powers conferred by clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby specifies that the Controller of Accounts and Chief Controller of Accounts in the Departmental Accounting Organisation, Ministry of Agriculture (Department of Agriculture and Cooperation), New Delhi, will act as ad-hoc disciplinary authority and

appellate authority respectively in the case of Shri E. Selvaraj against whom disciplinary proceedings are contemplated. The ad-hoc disciplinary authority so appointed will have the power to impose any of the penalties provided under Central Civil Service (Classification, Control and Appeal) Rules, 1965.

[No. 2-11/83-Estt. VII]
V. KOHLI, Director (Personnel)

ग्रामीण विकास मंत्रालय

नई दिल्ली, 21 अगस्त, 1984

क्र०आ० 2894:— नियमों का निम्नलिखित प्राव, जिसे केन्द्रीय सरकार, कृषि उपज (श्रेणी और चिह्नांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बनाना चाहती है, उक्त धारा की ओक्षांशानुसार ऐसे सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है, जिनके उमसे प्रभावित होने की संभावना है, इसके द्वारा यह सूचना दी जाती है कि उक्त प्राव पर उस तारीख से जिसको उस राजपत्र की, जिसमें यह अधिसूचना प्रकाशित की जाती है, प्रतियां जनता को उपलब्ध कराई जायेंगे, 45 दिन के पश्चात् विचार किया जाएगा।

ऐसे आशेषों या सुझावों पर जो पूर्वोक्त ऊपर विनिर्दिष्ट अवधि से पहले उक्त प्राव की बाबत किसी व्यक्ति से प्राप्त होंगे, केन्द्रीय सरकार विचार करेगी।

1. संक्षिप्त नाम और लागू होना :—(1) इन नियमों का संक्षिप्त नाम तम्बाकू श्रेणीकरण नियम, 1984 है।

(2) ये भारत में उत्पादित तम्बाकू (निकोटिआना टोबैकम एल और निकोटिआना ग्लोरा एल) और बाजारों में उनके व्यापार नीलामी, प्लेटफार्मों, विपणन सहकारिताओं, भांडागारों और इसी प्रकार की विपणन संस्थाओं को लागू होंगे।

(3) तम्बाकू सम्यक् रूप से संसाधित* साबुत पत्तों के रूप में होगी। सभी तम्बाकू बड़िया,† साफ (a) और अधिक नमी तथा अन्य बाह्य पदार्थों‡ से मुक्त होगी।

श्रेणी अभिधान :—संभ 1(ii) में निरदिष्ट तम्बाकू की क्वालिटी को उपदर्शित करने वाली श्रेणी अभिधान केवल वे हैं जो अनुसूची 1 के संभ 2 उपबर्णित हैं।

3. क्वालिटी की परिभाषा :—अनुसूची 1 के खण्ड 1 (iii) में यथा विनिर्दिष्ट साधारण अभिलक्षण और संभ 3 से 7 के अधीन यथावर्णित विशेष अभिलक्षण उक्त क्वालिटी का निर्धारण करने हैं जो विभिन्न श्रेणी अभिधानों के लिए विहित हैं। अनुसूची 1 में प्रयुक्त महत्वपूर्ण पदों की परिभाषा की गयी है जो अनुसूची के भाग हैं।

*तम्बाकू के रस को प्राकृतिक या अप्राकृतिक प्रक्रिया से†सुखाया जाएगा। तम्बाकू बड़िया तम्बाकू मानी जाएगी यदि वह धूल मिट्टी, गलन काला अपक्षय, या अन्य प्रकार की फूँफूदा या अन्य जलानु संबंधी बाजारियों के प्रभाव से मुक्त है जो तम्बाकू को उसका संसाधित स्थिति पर, जिसके अंतर्गत सड़न की भूकड़ी या गलन की दुर्गन्ध वाली तम्बाकू भी है, प्रभावित करती है।

(a) जो सामान्यतः धूल और अन्य विजातीय पदार्थों से मुक्त है।

†कोई विजातीय पदार्थ या सामग्री जैसे घासफूस, रस्सी, रबड़ की पट्टी, घास, खरपनवार या बालू की अधिक मात्रा।

अनुसूची-1

(नियम एक, दो, और तीन देखिए)

कर्नाटक राज्य में अविनिमित्त धूमनाल संसाधित बर्जोनिया तम्बाकू की क्वालिटी की श्रेणी अभिधान और परिभाषा

पादप स्थिति	श्रेणी अभिधान	रंग	प्रतिशतता के अनुसार चिरसी/धन्वा/शक्ति अपशिष्ट	परिपक्वता/दाने का गठन	आकार	पत्ती का विवरण
(1)	(2)	(3)	(4)	(5)	(6)	(7)
पूर्वपात भोजन (प्राइमिंग (पी))	पी/एल	कमकीसा नींबू	20 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	पूर्वपात भोजन (प्राइमिंग (पी)) में किसी पाकम के नीचे वाली से पहली दो या तीन पत्तियां सम्मिलित हैं। अन्य स्थितियों की तुलना में बहुत पत्ती होने के कारण इससे पर्याप्त शक्ति और पर्याप्त मात्रा तक रोगप्रसित होता वंशित होता है। सुलनात्मक रूप में छोटी पत्ती जिसकी खली आकृति है और नोक से मिट्टी लगी है।
	पी 2 एल	अधिक कमकीसा नींबू	20 से 30 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	
	पी 3 एल	मोड़	30 से 55 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	

1	2	3	4	5	6	7
पूर्वपात भोजन (प्राईमिगम (पी))	पी 4 एल	नीबू	80 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	पूर्वपात भोजन (प्राइमिगम (पी)) में किमी पादम के नीचे वाला में पहली दो या तीन पत्तियां सम्मिलित हैं। अन्य स्थितियों की तुलना में बहुत पतली होने के कारण हममें पर्याप्त अति और पर्याप्त मात्रा तक रोगप्रतिरक्षित होना दर्शाता होता है। तुलनात्मक रूप में छोटी पत्ती जिसकी खुली आकृति है और नाक से मिट्टी लगी है।
	पी 5 एल	नीबू	80 प्रतिशत से अधिक	अधिक पका और दानेदार	बहुत पतली	"
	पी 10	चमकीला नारंगी नारंगी	20 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	"
	पी 20	अच्छा चमकीला नारंगी	20 से 30 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	"
	पी 30	नारंगी	30 से 55 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	"
	पी 40	नारंगी	80 प्रतिशत तक	अधिक पका और दानेदार	बहुत पतली	"
	पी 50	नारंगी	80 से अधिक	अधिक पका और दानेदार	बहुत पतली	"
पूर्वपात भोजन (प्राईमिगम (पी))	पी 1 जे	फीका पीला नीबू नारंगी रंग का	20 प्रतिशत तक	कच्चे से पके तक और भरपूर दानेदार	बहुत पीला	"(पी) स्थिति वाली पत्तियां में त्रिपक्षीय, मांगी, स्पज, कंकण, झुलसी अपक्व और मुन्नी किम्म की सम्भावना है।
	पी 2 जे	पीले नीबू में नारंगी	20 से 30 प्रतिशत	कच्चे से पके तक भरपूर दानेदार	बहुत पतली	"
	पी 3 जे	पीले नीबू में नारंगी	30 से 55 प्रतिशत	कच्चे से पके तक भरपूर दानेदार	बहुत पतली	"
	पी 4 जे	पीले नीबू में नारंगी	80 प्रतिशत तक	कच्चे से पके तक भरपूर दानेदार	बहुत पतली	"
	पी 5 जे	पीले नीबू में नारंगी	80 प्रतिशत से अधिक	कच्चे से पके तक भरपूर दानेदार	बहुत पतली	"
लग और कनेक (X)	एकस 1 एल	चमकीला नीबू	20 प्रतिशत तक	पका और अधिक दानेदार	बहुत पतली	लग और कनेक (एकस) में "पूर्वपातभोजन" स्थिति से ऊपर वाली चार से पांच पत्तियां हैं, तुलनात्मक रूप में चौड़ी पत्तियां जो सिरों में व्यापक रूप से फैली हुई हैं। सोचदार, अच्छी बनाबट जिसमें प्राकृतिक चमक हो और उसमें छोटे-मोटे मध्य सिर और धारिया हो।
	एकस 2 एल	अधिक चमकीला नीबू	20 से 30 प्रतिशत तक	पका और अधिक दानेदार	पतली से मध्यम	"
	एकस 3 एल	मीठू	30 से 55 प्रतिशत तक	पका और अधिक दानेदार	पतली से मध्यम	"
	एकस 4 एल	मीठू	50 प्रतिशत तक	पका और अधिक दानेदार	पतली से मध्यम	"

1	2	3	4	5	6	7
			तक	अधिक दानेदार		
	एकम 5 एल	त बू	80 प्रतिशत	पका और	पतली से मध्यम	"
			से अधिक	अधिक दानेदार		
	एकम 10	चमकीला सतरा	20 प्रतिशत	पका और	पतली से मध्यम	"
			तक	अधिक दानेदार		
	एकम 20	अधिक चमकीला	20 से 30	पका और	पतली से मध्यम	"
		सतरा	प्रतिशत तक	अधिक दानेदार		
	एकम 30	नारंगी	30 से 55	पका और	पतली से मध्यम	"
			प्रतिशत तक	अधिक दानेदार		
	एकम 40	नारंगी	50 प्रतिशत	पका और	पतली से मध्यम	"
			तक	अधिक दानेदार		
	एकम 50	नारंगी	80 प्रतिशत से	पका और	पतली से मध्यम	"
			अधिक	अधिक दानेदार		
	एकम 1 जे	पीले नींबू से	20 प्रतिशत	कच्ची से पकी	पतली से मध्यम	"एकम" स्थिति वाली पत्तियों में
		नारंगी	तक	और भरपूर		चिपकनी मोटी, स्पंज, कर्कश,
				दानेदार		अपक्व और सूखे किस्म की
						तम्बाकू है।
	एकम 2 जे	पीले नींबू से	20 से 30	कच्ची से पकी	पतली से मध्यम	"
		नारंगी	प्रतिशत तक	और भरपूर		
				दानेदार		
	एकम 3 जे	पीले नींबू से	30 से 55	कच्ची से पकी	पतली से मध्यम	"
		नारंगी	प्रतिशत तक	और भरपूर		
				दानेदार		
	एकम 4 जे	पीले नींबू से	80 प्रतिशत	कच्ची से पकी	पतली से मध्यम	"
		नारंगी	तक	और भरपूर		
				दानेदार		
	एकम 5 जे	पीले नींबू से	80 प्रतिशत	कच्ची से पकी	पतली से मध्यम	"
		नारंगी	से अधिक	और भरपूर		
				दानेदार		
पतली (एल)	एल 1 एल	चमकीला नींबू	20 प्रतिशत	पका और	मध्यम से बड़ी	लग और कर्कश
			तक	मध्यम दानेदार		पत्ती (एल) से (एकम) स्थिति
						से ऊपर वाली श्रेणी से पांच
						परिणत है। प्रत्येक लंबी किन्तु
						उत्तरी चौड़ी नहीं जिसकी कि
						कर्कश गोद भी किन्तु अधिक
						लचीली नहीं। माधारणतया
						उनमें स्पष्ट मध्य मिरे
						और धारिया है। वे मध्य
						मिरे से मुड़ जाती है।
	एल 2 एल	अधिक चमकीला	20 से 30	पका और	मध्यम से बड़ी	"
		नींबू	प्रतिशत तक	मध्यम दानेदार		
	एल 3 एल	नींबू	30 से 55	पका और	मध्यम से बड़ी	"
			प्रतिशत	मध्यम दानेदार		
	एल 4 एल	नींबू	80 प्रतिशत	पका और	मध्यम से बड़ी	"
			तक	मध्यम दानेदार		
	एल 5 एल	नींबू	80 प्रतिशत	पका और	मध्यम से बड़ी	"
			से अधिक	मध्यम दानेदार		
	एल 10	चमकीला नारंगी	20 प्रतिशत	पका और	मध्यम से बड़ी	"
			तक	मध्यम दानेदार		
	एल 20	अधिक चमकीला	20 से 30	पका और	मध्यम से बड़ी	"
		नारंगी	प्रतिशत	मध्यम दानेदार		
	एल 30	नारंगी	30 से 55	पका और	मध्यम से बड़ी	"
			प्रतिशत	मध्यम दानेदार		
	एल 40	नारंगी	80 प्रतिशत	पका और	मध्यम से बड़ी	"
			तक	मध्यम दानेदार		

1	2	3	4	5	6	7
	एल 50	नारंगी	80 प्रतिशत से अधिक	पका और मध्यम दानेदार	मध्यम से बड़ी	
	एल 5 आर	महागनी	80 प्रतिशत से अधिक	पका और मध्यम दानेदार	मध्यम से बड़ी	
	एल 1 जे	पीला नींबू से नारंगी	20 प्रतिशत तक	कच्ची से पका और बहुत भरपूर दानेदार	मध्यम से बड़ी	'एल' स्थिति वाली पत्तियों में चिकपनी मोटी, स्पंज, कर्कश, अपक्व और सूखी किस्म की तम्बाकू है।
	एल 2 जे	पीला नींबू से नारंगी	20 से 30 प्रतिशत	कच्ची से पका और बहुत भरपूर दानेदार	मध्यम से बड़ी	"
	एल 3 जे	पीला नींबू से नारंगी	30 से 55 प्रतिशत	कच्ची से पकी और अत्यधिक दानेदार	मध्यम से बड़ी	"
	एल 4 जे	पीला नींबू से नारंगी	80 प्रतिशत तक	कच्ची से पकी और अत्यधिक दानेदार	मध्यम से बड़ी	"
	एल 5 जे	पीला नींबू से नारंगी	80 प्रतिशत से अधिक	कच्ची से पकी और अत्यधिक दानेदार	मध्यम से बड़ी	"
मिरा (टी)	टी 2 एल	नींबू	30 प्रतिशत तक	कम पकी मध्यम से भरपूर दानेदार	मध्यम से बड़ी	मिरा 'टी' से पकी वाली स्थिति में ऊपर की तीन से चार पत्तियां हैं नुकीले सिरे जिनके छोटे ब्लेड मोटी बनाबट और जिनका गहरा रंग है। माथ दिखने वाले मध्य सिरे और धारियां हैं।
	टी 3 एल	नींबू	30 से 55 प्रतिशत	कम पकी, मध्यम से भरपूर दानेदार	मध्यम से बड़ी	"
	टी 2 ओ	नारंगी	30 प्रतिशत तक	कम पकी, मध्यम से भरपूर दानेदार	मध्यम से बड़ी	मिरा 'टी' पकी वाली स्थिति में ऊपर की तीन से चार पत्तियां हैं। नुकीले सिरे जिनके छोटे ब्लेड मोटी बनाबट और जिनका गहरा रंग है। माथ दिखने वाले मध्य सिरे और धारियां हैं।
	टी 3 ओ	नारंगी	30 से 55 प्रतिशत	कम पकी, मध्यम से भरपूर दानेदार	मध्यम से बड़ी	"
	टी 4 ओ	नारंगी	80 प्रतिशत तक	कम पकी, मध्यम से भरपूर दानेदार	मध्यम से बड़ी	"
	टी 5 ओ	नारंगी	80 प्रतिशत से अधिक	कम पकी मध्यम से भरपूर दानेदार	मध्यम से बड़ी	"
	टी 4 आर	महागनी	80 प्रतिशत तक	कम पकी, मध्यम से भरपूर दानेदार	मध्यम से बड़ी	"
	टी 5 आर	महागनी	80 प्रतिशत से अधिक	कम पकी मध्यम से भरपूर दानेदार	मध्यम से बड़ी	"
	टी 2 जे	पीला नींबू से नारंगी	30 प्रतिशत तक	कम पकी, भरपूर दानेदार	मध्यम से बड़ी	'टी' स्थिति वाली पत्तियों में चिकपनी मोटी, स्पंज कर्कश अपक्व और सूखी किस्म की तम्बाकू है।
	टी 3 जे	पीला नींबू से नारंगी	30 से 55 प्रतिशत	कम पकी, भरपूर दानेदार	मध्यम से बड़ी	"
	टी 4 जे	पीला नींबू से नारंगी	80 प्रतिशत तक	कम पकी भरपूर दानेदार	मध्यम से बड़ी	"
	एल 5 जे	पीला नींबू से नारंगी	80 प्रतिशत से अधिक	कम पकी, भरपूर दानेदार	मध्यम से बड़ी	"
पूर्वपात भजन लग और कर्कश	बी जी (बोटम ग्रीन)	कमकवार पीला या नींबू पीला या नारंगी से हल्का भूरा पीला या नारंगी या नींबू पीला जिस पर हरियाली झलक हो	25 प्रतिशत तक	पका, दानेदार सुन्दर से मध्यम	पतले से मध्यम	पूर्वपात भजन लग और कर्कश स्थितियों में उपर वाली पत्तियां।

1	2	3	4	5	6	7
	बी. एम. जी (आटम मीडियम ग्रीन)	थमकदार पीला या नींबू पीला या नारंगी में हल्का भूरा पीला या नारंगी या नींबू पीला जिस पर हरियानी झलक हो।	50 प्रतिशत तक	पका, दानेदार सुन्दर में मध्यम	पतले से मध्यम	पूर्वपात भजन, लग और कर्तक स्थितियों में ऊपर वाली पत्तियां
पत्ती और सिरे	टी जी (टंग गिरा)	गहरा पीला या नींबू पीला या नारंगी से हल्का भूरा पीला जिस पर हरियानी झलक हो	25 प्रतिशत तक	कम पकी से पकी कम दानेदार, मध्यम से खुरदरा।	मध्यम में बड़ी	पत्ती और शिरी की स्थितियों से ऊपर वाली पत्तियां
पत्ती और सिर	टी एम जी (ऊपरी मध्यम हरा)	गहरा नींबू पीला या नारंगी से हल्का भूरा पीला जिस पर हरियानी झलक हो।	50 प्रतिशत तक	कम पकी से पकी कम दानेदार से भरपूर दानेदार, मध्यम में खुरदरा।	मध्यम में बड़ी	पत्ती और शिरो की स्थितियों में ऊपर वाली पत्तियां।
पूर्वपात भजन, लगज और कर्तक पत्ती	तो-जी (कोई श्रेणी नहीं)	—	—	—	—	पत्ती या पत्ती का भाग (पत्र- बल रहित तना को छोड़कर) जिसके अन्तर्गत सभी स्थितियों वाली ऐसी क्षयशील और कतरी हुई पत्ती, कीलन और टूट-फूट है जो ऊपर वाली किसी श्रेणी में नहीं आती। तम्बाकू के लिए बाह्य किसी विजातीय पदार्थ से मुक्त।

- टिप्पण 1 श्रेणीकरण में आकस्मिक कृति के लिए ऐसी पत्तियों की जो अगली निम्न श्रेणी के निर्दिष्टों के समन्वय है की 10 प्रतिशत से अधिक की सह्य परिसीमा अनुज्ञप्त की जाएगी। इस प्रयोजन के लिए प्रत्येक स्थिति में की श्रेणियों पर रंग अभिनाम (नींबू नारंगी और जे अभिनाम श्रेणी) के आधार पर उनको अलग-अलग एकक समझा जाएगा। हरी श्रेणियों (बी जी, ई एम जी टा जी, टी एम जी) को पूर्णतया एक अलग एकक के रूप में माना जाएगा। विभिन्न पाद स्थितियों की पत्तियों और रंगों का मिश्रण किसी भी श्रेणी में अनुज्ञात नहीं होगा।
- 2 घूमनाल सबधित वर्जीनिया तम्बाकू की सभी उपर्युक्त श्रेणियों जिसमें उत्पादित लवण पर और निचले क्षेत्रों में अव्यक्त तम्बाकू के मिश्रण के पात्र प्रतिशत में अधिक है, एक अनिर्दिष्ट अक्षर (एम) चिह्नित किया जाएगा जो श्रेणी अभिधान चिह्न के बाद में लगाया जाएगा।

अनुसूची 1 में प्रयोग किए गये विभिन्न महत्वपूर्ण पदों की परिभाषाएं

- 1 पादप स्थिति यह पादप पर पत्तियों की स्थिति है।
- 2 श्रेणी अभिधान श्रेणी अभिधान के अन्तर्गत सामान्यता तीन प्रतीक हैं जो क्रमशः पादप स्थिति, क्वालिटी और रंग को उपदर्शित करते हैं। एक अक्षर जो पादप स्थिति उपदर्शित करने के लिए प्रयोग किया गया है—एक अक्षर क्वालिटी और एक अक्षर रंग को उपदर्शित करने के लिए प्रयोग किया गया है। (एल—नींबू, ओ—नारंगी और आर—महागनी)
- 3 दाग इसके अन्तर्गत नाशक जीवों और बांमारियों के कारण हुए नुकसान हैं।
- 4 आकार यह पत्ती की मोटाई और सघनता या सतह के प्रति एकक द्रव्यमान को उपदर्शित करता है।
- 5 दानेदार तम्बाकू पत्तियों की संरचना और कोशिकाएं तथा रेशों (तनुषों) का क्रम के परिणामस्वरूप उनकी बुनाई या संसाधन है।
- 6 अधिक दाने पत्ती के अपसामान्य विकास का परिणाम कोशिकाओं और रेशों की मुड़क और सघन बनावट और पत्ती की सपाट सतह है।
- 7 खुले दाने पत्ती के सामान्य विकास का परिणाम कोशिकाओं और रेशों की खुली सतह और पत्ती की सुकड़ी सतह है।
- 8 पकी कच्ची पत्ती की परिपक्वता का बोधक है। पकी तम्बाकू परिपक्व है और खुले दाने हैं, कच्ची तम्बाकू अपरिपक्व है और अधिक दाने हैं।
- 9 कम पकी वह पत्ती जो मामूली से अपक्व है।
- 10 बीपकनी बहुत अधिक दाने वाली अपक्व और बड़ी आकार की तम्बाकू।
- 11 स्पज तम्बाकू की कोई रगड़ीयता संसाधन करने में परवर्धन या तापक्रम में परिवर्तन के कारण धब्बे और (चुरोचन) स्प्रैड का बनना।
- 12 शूलसना तम्बाकू जिसमें संसाधन के दौरान अतिताप के स्पष्ट लक्षणों की मात्रा दिखायी देती हो।
- 13 कर्कशता तम्बाकू जिसमें अप्रिय और उत्तेजक गंध हो।
- 14 सूखी किस्म तम्बाकू का ऐसा कोई ढेर जो किसी श्रेणी की सभी अपेक्षाओं को पूरा करता हो किन्तु सूखी किस्म का हो, जिससे आसानी से टूट जाता है और चूर-चूर हो जाता है।

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 21st August, 1984

S.O.2894.—The following draft rules which the Central Government propose to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading & Marking) Act, 1937 (1 of 1937) are hereby published as required by the said section, for the information of all the persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of 45 days from the date on which the copies of the official Gazette in which this notification is published are made available to the public.

Any objections or suggestions which may be received from any person with respect to the said draft before the expiry of the period specified above will be considered by the Central Government.

1. Short title and application.—(i) These rules may be called the Tobacco Grading Rules, 1984.

(ii) They shall apply to tobacco (*Nicotiana tabacum* L. and *Nicotiana rustica* L.) grown in India and traded in the markets, auction platforms, marketing co-operatives, warehouses and similar marketing institutions.

(iii) The tobacco shall consist of whole leaf duly cured@. All the tobacco shall be sound*, clean\$ and free from excess moisture and other extraneous matter**.

2. Grade designation.—The grade designation to indicate the quality of tobacco referred to in sub-rule (2) of rule 1 are those set out in column 2 of the Schedule.

3. Definition of quality.—The general characteristics as specified in sub-rule (3) of rule 1 and special characteristics as described under columns 3 to 7 of the Schedule constitute quality prescribed for different grade designation. Important terms used in the Schedule have been defined which form a part of the Schedule.

@Tobacco dried of its sap by either natural or artificial process.

* The tobacco shall be regarded as 'sound' if it is free from the effect of mould, rot, black-rot, or other fungus or other bacterial diseases which attach tobacco in its cured state, including tobacco having the odour of mould, must or rot.

\$ Normally free of dirt and other foreign matter.

**Any foreign matter or material such as straw, strings, rubber bands, grass, weeds or any excessive amount of dirt or sand.

SCHEDULE

(see rules 1, 2 and 3)

Grade Designation and Definition of Quality of Unmanufactured Flue-cured Virginia Tobacco in Karnataka State

Plant position	Grade designation	Colour	Spot/blemish/injury/waste in terms of percentage	Maturity/grain/texture	Body	Description of leaf
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Primings (P)	P1L	Bright Lemon.	upto 20%	More ripe and grainy.	Very thin.	'Primings (P)' consists of first two or three leaves from the bottom of a plant. Being sand leaf shows a material amount of injury and subject to disease to a larger extent compared to other positions. Comparatively short leaf having open face and an earthy nose.
	P2L.	Fairly bright lemon.	20 to 30%	More ripe and grainy	Very thin.	
	P3L.	Lemon.	30 to 55%	More ripe and grainy.	Very thin.	
	P4L.	Lemon.	upto 80%.	More ripe and grainy	Very thin.	
	P5L.	Lemon.	More than 80%	More ripe and grainy.	Very thin.	
	P10.	Bright Orange.	Upto 20%.	More ripe and grainy.	Very thin.	
	P20	Fairly bright orange.	20 to 30%	More ripe and grainy.	Very thin.	
	P30	Orange .	30 to 55%.	More ripe and grainy.	Very thin.	
	P40.	Orange.	Upto 80%.	More ripe and grainy.	Very thin.	
	P50.	Orange.	More than 80%.	More ripe and grainy.	Very thin.	
	P1J.	Pale Lemon to Orange.	Upto 20%.	Unripe to ripe and close grained.	Very thin.	Leaves from 'P' position consisting of slick, sponge, coarse, harsh, scorched, immature and dry natured tobacco.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Priming (P)	P2J.	Pale lemon to orange.	20 to 30%.	Unripe to ripe and close grained.	Very thin.	Leaves from 'P' position consisting of stick, sponge, coarse, harsh, scorched, immature and dry natured tobacco.
	P3J.	Pale lemon to orange.	30 to 55%.	Unripe to ripe and close grained.	Very thin.	
	P4J.	Pale lemon to orange.	Upto 80%.	Unripe to ripe and close grained.	Very thin.	
	P5J.	Pale lemon to orange.	More than 80%.	Unripe to ripe and close grained.	Very thin.	
Lugs and cutters (X).	X1L.	Bright Lemon.	Upto 20%.	Ripe and very grainy.	Thin to medium.	'Lugs and cutters (X)' consist of four to five leaves above 'Priming' position. Comparatively broader leaves with wider spread from buttends. Elastic, fine texture with natural lusture, characterised by small midribs and veins.
	X2L.	Fairly bright lemon.	20 to 30%.	Ripe and very grainy.	Thin to medium.	
	X3L.	Lemon.	30 to 55%.	Ripe and very grainy.	Thin to medium.	
	X4L.	Lemon.	Upto 80%.	Ripe and very grainy.	Thin to medium.	
	X5L.	Lemon.	More than 80%.	Ripe and very grainy.	Thin to medium.	
	X10.	Bright orange.	Upto 20%.	Ripe and very grainy.	Thin to medium.	
	X20.	Fairly bright orange.	20 to 30%.	Ripe and very grainy.	Thin to medium.	
	X30.	Orange.	30 to 55%.	Ripe and very grainy.	Thin to medium.	
	X40.	Orange.	Upto 80%.	Ripe and very grainy.	Thin to medium.	
	X50.	Orange.	More than 80%.	Ripe and very grainy.	Thin to medium.	
	X1J.	Pale lemon to orange.	Upto 20%.	Unripe to ripe and close grained.	Thin to medium.	Leaves from 'X' position consisting of slick, coarse, sponge, harsh, scorched, immature and dry natured tobacco.
	X2J.	Pale lemon to orange.	20 to 30%.	Unripe to ripe and close grained.	Thin to medium.	
	X3J.	Pale lemon to orange.	30 to 55%.	Unripe to ripe and close grained.	Thin to medium.	
	X4J.	Pale lemon to orange.	Upto 80%.	Unripe to ripe and close grained.	Thin to medium.	
	X5J.	Pale lemon to orange.	More than 80%.	Unripe to ripe and close grained.	Thin to medium.	
Leaf (L).	L1L.	Bright lemon.	Upto 20%.	Ripe and medium grainy.	Medium to heavy.	'Leaf (L)' consist of four to five leaves above lugs and cutter (X) position. Usually long, but not as broad as cutters, gummy but not very elastic. Generally having pronounced midrib and veins. They tend to fold along this midrib.
	L2L.	Fairly bright lemon.	20 to 30%.	Ripe and medium grainy.	Medium to heavy.	
	L3L.	Lemon.	30 to 55%.	Ripe and medium grainy.	Medium to heavy.	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Leaf (L)	L4L.	Lemon.	Upto 80%.	Ripe and medium grainy.	Medium to heavy.	..
	L5L.	Lemon.	More than 80%.	Ripe and medium grainy.	Medium to heavy.	..
	L10.	Bright orange.	Upto 20%.	Ripe and medium grainy.	Medium to heavy.	..
	L20.	Fairly bright orange.	20 to 30%.	Ripe and medium grainy.	Medium to heavy.	..
	L30.	Orange.	30 to 55%.	Ripe and medium grainy.	Medium to heavy.	..
	L40.	Orange.	Upto 80%.	Ripe and medium grainy.	Medium to heavy.	..
	L50.	Orange.	More than 80%.	Ripe and medium grainy.	Medium to heavy.	..
	L5R.	Mahagony.	More than 80%.	Ripe and medium grainy.	Medium to heavy.	..
	L1J.	Pale Lemon to orange.	Upto 20%.	Unripe to ripe and very close grained.	Medium to heavy.	Leaves from 'L' position consisting of slick, coarse, sponge, harsh, scorched, immature and dry natured tobacco.
	L2J.	Pale lemon to orange.	20 to 30%.	Unripe to ripe and very close grained.	Medium to heavy.	..
	L3J.	Pale lemon to orange.	30 to 55%.	Unripe to ripe and very close grained.	Medium to heavy.	..
	L4J.	Pale lemon to orange.	Upto 80%.	Unripe to ripe and very close grained.	Medium heavy.	..
	L5J.	Pale lemon to orange.	More than 80%.	Unripe to ripe and very close grained.	Medium to heavy.	..
Tips (T).	T2L.	Lemon.	Upto 30%.	Under ripe, medium to close grained.	Medium to heavy.	'Tips (T)' consist of three to four leaves above 'leaf' position. Pointed tips, with narrow blade, coarse texture having deep colour intensity. Leaf having prominent midribs and veins.
	T3L.	Lemon.	30 to 55%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T20.	Orange.	Upto 30%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T30.	Orange.	30 to 55%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T40.	Orange.	Upto 80%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T50.	Orange.	More than 80%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T4R.	Mahagony.	Upto 80%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T5R.	Mahagony.	More than 80%.	Under ripe, medium to close grained.	Medium to heavy.	..
	T2J.	Pale lemon to orange.	Upto 30%.	Under ripe, close grained.	Medium to heavy.	Leaves from 'T' position consisting of slick, coarse, sponge, harsh, scorched, immature and dry natured tobacco.
	T3J.	Pale lemon to orange.	Upto 30 to 55%.	Under ripe, close grained.	Medium to heavy.	..
	T4J.	Pale lemon to orange.	Upto 80%.	Under ripe, close grained.	Medium to heavy.	..
	L5J.	Pale lemon to orange.	More than 90%.	Under ripe, grained.	Medium to heavy.	..

1	2	3	4	5	6	7
Primings lugs and cutters.	BG (Bottom green)	Bright yellow or lemon to orange light brownish yellow of orange or lemon with greenish tinge on.	Upto 25 %	Ripe, grainy, fine to medium.	Thin to medium.	Leaves from primings, lugs, and cutters position.
(Bottom medium green).	BMG.	Bright yellow or lemon or orange to light brownish yellow or orange or lemon with green cast on.	Upto 50 %	Ripe, grainy, fine to medium.	Thin to medium.	Leaves from primings, lugs, and cutters positions.
Leaf and Tips	TG (Top green)	Deep yellow or lemon or orange to light brownish yellow with greenish tinge on.	Upto 25 %	Under ripe to ripe, less grainy, medium to coarse.	Medium to heavy.	Leaves from leaf and tips positions.
Leaf and Tips	TMG (Top medium green).	Deep lemon, yellow or orange to light brownish orange or yellow with green cast on.	Upto 50 %.	Under ripe to ripe, less grainy to close grained, medium to coarse.	Medium to heavy.	Leaves from leaf and tip positions.
Primings Lugs & Cutters Leaf (No grade) and Tips.	NO-G	—	—	—	—	Leaf or part of the leaf (except stems free of lemina) which includes perished and trashy leaf, scrap and bits from a positions not falling into any of the above grades. Free from any foreign matter extraneous to tobacco.

- NOTE:—** (1) For accidental errors in grading, a tolerance limit of not exceeding 10 % of the leaves corresponding to the specifications of the next lower grade will be allowed. For this purpose the grades in each position on the basis of colour/style (Lemon, Orange and 'J' style grades) will be considered as separate units. Green grades (BG, BMG, TG, TMG) will be considered entirely as a separate unit. Admixture of leaves of different plant positions and colours will not be allowed in any grade.
- (2) All the above grades of flue-cured virginia tobacco containing more than 5 per cent admixture of undesirable tobacco produced on saline and low lying areas shall be marked with an additional letters (S) suffixing the grade designation mark.

Definitions of various important terms used in the Schedules.

1. Plant Position : It is position of the leaves on a plant.
2. Grade designation: A grade designation normally consists of three symbols which indicate plant position, quality and colour respectively. A letter is used to indicate plant position, a number to indicate quality and a letter to indicate colour (L-Lemon, O-Orange and R-Mathagony).
3. Blemish: It includes damage due to pests and diseases.
4. Body: The thickness and density of leaf or mass per unit of surface.
5. Grain : The structure and arrangement the cells and fibres of the tobacco leaf resulting weave or texture.
6. Close grain : Abnormal development of leaf, resulting in a tight or close structure of cells and fibres, and a flat surface of the leaf.
7. Open grain : Normal development of leaf resulting in an open structure of cells and fibres, and rinkly surface of the leaf.
8. Ripe/Unripe : Denote maturity of leaf. Riped tobacco is matured and open grained whereas, unripe tobacco is immature & close grained.
9. Under ripe : Leaf which is slightly immature.
10. Slick : Very close-grained, immature and heavy bodied tobacco.
11. Sponge : Any discolouration of tobacco, formation of blemish or scars in curing due to run back or by changes in temperatures.
12. Scorched : Tobacco showing a noticeable degree of red caused by excessive heat during .
13. Harsh : Tobacco having unpleasant and irritating smell.
14. Dry nature : Any lot of tobacco which meets all the requirements of a grade, but is dry natures, shatters or tears easily.

निर्माण और आवास मंत्रालय
(संपदा निदेशालय).

नई दिल्ली, 25 अगस्त, 1984

का०आ० 2895.—राष्ट्रपति सरकारी निवास-स्थान आबंटन (दिल्ली में साधारण पूल नियम) नियम, 1963 के अनु. नि. 317-ख-2 खण्ड (ख) के अनुसरण में 1 अप्रैल, 1985 को प्रारंभ होने वाली और 31 मार्च, 1987 को समाप्त होने वाली अवधि को, अगले आबंटन वर्ष की अवधि के रूप में अधिसूचित करते हैं।

[फाइल सं. 12033(2)/83-पोल-II]

वी. एस. रामण,
उपनिदेशक संपदा (पी)

MINISTRY OF WORKS & HOUSING

(Directorate of Estates)

New Delhi, the 25th August, 1984

S.O.2895.—In pursuance of clause (b) of SR-317-B-2 of the Allotment of Residences (General Pool in Delhi) Rules, 1963, the President hereby notifies the period commencing on the first day of April, 1985 and ending on the 31st day of the March, 1987 as the period of next Allotment Year.

[File No. 12033(2)/83-Pol. II]

V. S. RAMAN, Dy. Director of Estates (Policy)

दिल्ली विकास प्राधिकरण

नई दिल्ली, 8 सितम्बर, 1984

सार्वजनिक सूचना

का. आ. 2896 :—केन्द्रीय सरकार दिल्ली मुख्य योजना में निम्नलिखित संशोधन करने का विचार कर रही है, एतद्वारा जिसे सार्वजनिक सूचना हेतु प्रकाशित किया जाता है। इन प्रस्तावित संशोधनों के सम्बन्ध में जिस किसी व्यक्ति को कोई आपत्ति या सुझाव देना हो तो वे अपनी आपत्ति या सुझाव इस सूचना की तिथि के 30 दिन के भीतर सचिव, दिल्ली विकास प्राधिकरण, विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली के पास लिखित रूप में भेज दें। जो व्यक्ति अपनी आपत्ति या सुझाव दें, वे अपना नाम एवं पूरा पता लिखें :—

संशोधन

“गांव जफरपुर के समीप और गांव उजवा को जाने वाली सड़क के उत्तर में स्थित लगभग 7.9 हेक्टर. (19.5 एकड़) क्षेत्र का भूमि उपयोग “ग्रामीण उपयोग” जोन/“कृषि हारित पट्टी” से बदल कर “सार्वजनिक एवं अर्द्ध-सार्वजनिक सुविधाओं” (अस्पताल) में किया जाना प्रस्तावित है।”

2. उक्त अवधि के दौरान शनिवार को छोड़ कर और सभी कार्यशील दिनों में दि. वि. प्र. के कार्यालय विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली में प्रस्तावित संशोधन के नक्शे निरीक्षण के लिए उपलब्ध होंगे।

[सं. एफ. 20(5)/83-एम. पी.]

नाथू राम, सचिव

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 8th September, 1984

PUBLIC NOTICE

S.O. 2896.—The following modification which the Central Government proposes to make to the Master Plan for Delhi is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection or suggestion in writing to the Secretary, Delhi Development Authority, Vikas Minar, Indraprastha Estate, New Delhi within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and address:—

MODIFICATION

“The land use of an area measuring about 7.9 hectrs. (19.5 acres) located near village Jafarpur and situated on the north of road leading to village Ujwa, is proposed to be changed from ‘Rural Use’ zone/ ‘Agricultural Green Belt’ to ‘Public & Semi-public facilities’ (Hospital).”

2. The plan indicating the proposed modification will be available for inspection at the office of the Authority, Vikas Minar, Indraprastha Estate, New Delhi on all working days except Saturdays within the period referred to above.

[No. F. 20(5)/83-MP]

NATHU RAM, Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 24 अगस्त, 1984

का०आ० 2897, भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम ix) की धारा 82-ख द्वारा प्रदत्त शक्तियों का उपयोग करते हुए, केन्द्रीय सरकार दक्षिण-पूर्व रेलवे के चरेगांव तथा समनापुर स्टेशनों के बीच 16-8-84 को हुई 4 जी०जे० जबलपुर-गोंदिया सवारी गाड़ी की दुर्घटना के फलस्वरूप उत्पन्न सभी दावों को निपटाने के लिए श्री जे०ए० खरे, जिला एवं सत्र न्यायाधीश, बालाघाट को एतद्वारा तदर्थ दावा आयोग के रूप में नियुक्त करती है। इनका मुख्यालय बालाघाट में होगा।

[सं० 84/ई(ग्रो)II/1/4]

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 24th August, 1984

S.O. 2897.—In exercise of the powers conferred by Section 82B of the Indian Railways Act, 1890 (Act IX of 1890), the Central Government hereby appoints Shri J. A. Khare, District and Sessions Judge, Balaghat as ad-hoc Claims Commissioner to deal with all the claims arising out of the accident involving 4 GJ Jabalpur-Gondia Passenger train between Charegaon and Samanapur Stations of S.E. Railway on 16-8-84. His headquarters will be at Balaghat.

[No. 84/E(O)II/1/4]

का. आ 2898.—समय-समय पर यथासंशोधित मेट्रो रेलवे (निर्माण-कार्यों का निर्माण) अधिनियम, 1978 (1978 का सं. 33) के खंड 16 (i) के अनुसार, केन्द्रीय सरकार एतद्वारा पश्चिम बंगाल उच्चतर न्यायिक सेवा के अधिकारी और सिटी, सिविल और सत्र न्यायालय के न्यायमूर्ति, श्री बी. के.

सेन गुप्ता, को मेट्रो रेलवे, कलकत्ता, के लिए उक्त अधिनियम के प्रयोजनार्थ 30-7-84 (अपराह्न) से अपील्य प्राधिकारी के रूप में नियुक्त करती है।

[सं. 84/ई (ओ) II/25/4]

ए. जोहरी, सचिव, रेलवे बोर्ड एवं
भारत सरकार के पदेन संयुक्त सचिव

S.O. 2898.—In terms of Section 16(i) of the Metro Railways (Construction of Works) Act, 1978 (No. 33 of 1978) as amended from time to time, the Central Government hereby appoints Shri B. K. Sen Gupta, an Officer of West Bengal Higher Judicial Service and Judge, City, Civil and Sessions Courts, Calcutta, as Appellate Authority for the purposes of the said Act for Metro Railway, Calcutta w.e.f. 30-7-84 (AN).

[No. 84/E(O)II/25/4]
A. JOHRI, Secy. Railway Board
and ex-officio Jt. Secy.

संचार मंत्रालय

(डाक तार बोर्ड)

आदेश

नई दिल्ली, 12 जुलाई, 1984

का.भा 2890—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1985 के नियम 3 के साथ पठित नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (1) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए भारत सरकार के तत्कालीन संचार मंत्रालय (डाक और तार) की अधिसूचना सं. का.नि. भा. 620 तारीख 28 फरवरी, 1957 का निम्नलिखित और संशोधन करते हैं अर्थात्:—

उक्त अधिसूचना की अनुसूची में—

(क) भाग 2 साधारण केन्द्रीय सेवा समूह "ग" में डाक और रेल डाक सेवा मंडल और उप मंडल कार्यालय और "डाकघर" शीर्षकों और उसके नीचे की प्रविष्टियों के स्थान पर निम्नलिखित शीर्षक और प्रविष्टियाँ रखी जाएंगी अर्थात्:—

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डाक और रेल सेवा मंडल और उपमंडल कार्यालय:				
डाकघर निरीक्षक:	डाक निदेशक	डाक निदेशक	सभी	महा डाकपाल
रेल डाक सेवा निरीक्षक:	सेवाएं: डाक सेवा	सेवाएं: डाक सेवा		अपर महाडाकपाल
उच्चतर और निम्नतर चयन	प्रादेशिक निदेशक	प्रादेशिक निदेशक		
क्षेत्रियों में अनुसूचिवीय कर्मचारिवृत्त		ज्येष्ठ अधीक्षक/ अधीक्षक	(i) से (iv)	डाक सेवा निदेशक डाक सेवा प्रादेशिक निदेशक
कनिष्ठ इंजीनियर (सिविल)		डाक सेवा निदेशक: डाक सेवा प्रादेशिक निदेशक डाकघर ज्येष्ठ अधीक्षक डाकघर अधीक्षक	सभी (i) से (iv)	महाडाकपाल/ अपर महाडाकपाल डाक सेवा निदेशक: डाक सेवा प्रादेशिक निदेशक
सभी अन्य पद]]	मंडल भार साधक अधिकारी	मंडल भारसाधक अधिकारी सभी		महाडाकपाल /अपर महाडाकपाल : डाक सेवा निदेशक : डाक सेवा प्रादेशिक निदेशक
डाकघर उच्चतर और निम्नतर चयन क्षेत्रियों में डाकपाल	डाक सेवा निदेशक डाक सेवा प्रादेशिक निदेशक	डाक सेवा निदेशक डाक सेवा प्रादेशिक निदेशक	सभी	महाडाकपाल अपर महाडाकपाल
उच्चतर और निम्नतर चयन क्षेत्रियों में लिपिक वर्गीय कर्मचारिवृत्त		डाक ज्येष्ठ अधीक्षक डाकघर अधीक्षक राजपत्रित डाकपाल जिसमें राजपत्रित उप- डाकपाल भी सम्मिलित है। उप प्रेसीडेंसी डाकपाल डाक पाल सेवा समूह "ग" में उप डाकपाल।	(i) से (iv) (i) से (iv)	डाक सेवा निदेशक डाक सेवा प्रादेशिक निदेशक प्रेसीडेंसी डाकपाल प्रेसीडेंसी डाकपाल की क्षेत्री में डाकपाल
बेतार अनुशासन निरीक्षक	मंडल का भारसाधक अधिकारी	मंडल का भारसाधक अधिकारी	सभी	महाडाकपाल/अपर महाडाकपाल डाक सेवा निदेशक डाक सेवा प्रादेशिक निदेशक

[illegible]

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सभी अन्य पद	उप प्रेसिडेंसी डाकपाल, डाकपाल सेवा समूह "ख" राजपत्रित डाकपाल जिसमें नगर उप डाकघर का भार- साधक राजपत्रित उप डाक- पाल सम्मिलित है, उच्चतर और निम्नतर चयन श्रेणी में डाकपाल (अपने ही कार्यालय में) सिवाय नगर उप-कार्यालय के भारसाधक डाकपाल; मंडल के भारसाधक अधिकारी (सभी अन्य कार्यालयों में)	उप प्रेसिडेंसी डाकपाल; डाकपाल सेवा समूह "ख" में उपडाकपाल	सभी	प्रेसिडेंसी डाकपाल; प्रेसिडेंसी डाकपाल को श्रेणी में डाकपाल
		राजपत्रित डाकपाल जिसमें नगर उप कार्यालय का भारसाधक राजपत्रित उप- डाकपाल भी सम्मिलित है। मंडल का भारसाधक अधिकारी	सभी	डाक सेवा निदेशक ; डाक सेवा प्रादेशिक निदेशक
		सहायक प्रेसिडेंसी डाकपाल (अपने विभाग में) उच्चतर या निम्नतर चयन श्रेणी में डाकपाल (अपने कार्यालय में) मंडल का भारसाधक अधिकारी (सभी अन्य कार्यालयों में)	(i) से (v) सभी	महाडाकपाल; अपर महाडाकपाल; डाक सेवा निदेशक; डाक सेवा प्रादेशिक निदेशक उप प्रेसिडेंसी डाकपाल ; मंडल का भारसाधक अधिकारी

(ख) भाग 3--साधारण केन्द्रीय सेवा समूह "ख" में "डाक और रेल डाक सेवा मंडल और उप मंडल कार्यालय" और "डाकघर" शीर्षकों और उसके अधीन प्रविष्टियों के स्थान पर निम्नलिखित शीर्षक और प्रविष्टियाँ रखी जाएंगी, अर्थात् :—

डाक और रेल डाक सेवा मंडल और
उपमंडल कार्यालय :
सभी पद

मंडल का भारसाधक अधिकारी; उप मंडल का भारसाधक अधिकारी	मंडल का भारसाधक अधिकारी ; उप मंडल का भारसाधक अधिकारी	सभी (i) से (iv)	महाडाकपाल; अपर महाडाकपाल; डाक सेवा निदेशक; डाक सेवा प्रादेशिक निदेशक मंडल का भारसाधक अधिकारी उप प्रेसिडेंसी डाकपाल
उप प्रेसिडेंसी डाकपाल; डाकपाल सेवा समूह "ख" में उपडाकपाल (उसके प्रशासनिक नियंत्रण के अधीन कर्मचारियों की बाबत)	उप प्रेसिडेंसी डाकपाल, डाकपाल सेवा समूह "ख" में उपडाकपाल (उसके प्रशासनिक नियंत्रण के अधीन कर्मचारियों की बाबत) सहायक प्रेसिडेंसी डाकपाल अपने विभाग में)	(i) से (iv)	
राजपत्रित डाकपाल जिसमें नगर उपकार्यालय का भारसाधक राजपत्रित उप डाकपाल, अपने प्रशासनिक नियंत्रण के अधीन डाक कार्यालय में, सम्मिलित है।	राजपत्रित डाकपाल जिसमें नगर उप कार्यालय का भारसाधक राजपत्रित उप डाकपाल अपने प्रशासनिक नियंत्रण के अधीन डाक-कार्यालय में, सम्मिलित है।	सभी	डाक सेवा निदेशक डाक सेवा प्रादेशिक निदेशक

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	उच्चतर या निम्नतर वर्ग में के डाकपाल मित्राद्य मग्न उप कार्यालय के भार माधक डाकपाल के (अपने कार्यालय में) उप मंडल का भारमाधक अधिकारी (सभी अन्य डाकघरों में)	मंडल का भारमाधक अधिकारी	सभी (i) से (iv)	महा डाकपाल/अपर महा डाकपाल डाक सेवानिवेशक डाकसेवा प्रादेशिक निदेशक
		उच्चतर या निम्नतर वर्ग में डाकपाल (अपने कार्यालय में) उप मंडल का भारमाधक अधिकारी (सभी अन्य कार्यालयों में)		मंडल का भारमाधक अधिकारी

[संख्या : 12/7/82-सतर्कता-III]

के० के० अरीड़ा, महायक सहायनियेशक (सतर्कता-III)

MINISTRY OF COMMUNICATIONS

(Posts and Telegraphs Board)

ORDER

New Delhi, the 12th July, 1984

S.O. 2899 :--In exercise of the powers conferred by Sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12, and Sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Communications (Posts and Telegraphs) No. SRO 620, dated the 28th February, 1957, namely :--

(a) In the Schedule to the said notification :--

In part II-General Central Service, Group 'C' for the headings "Postal and Railway Mail Service--Divisional and Sub-Divisional Offices" and "Posts offices" and the entries thereunder, the following headings and entries shall be substituted, namely :--

SCHEDULE

Designation of Post	Appointing Authority	Authority Competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 11)	Appellate Authority
		Authority	Penalties
1	2	3	4
5			
"Postal & Railway Mail Service, Divisional and Sub-Divisional Offices :			
Inspector of Post Offices; Inspector of Railway Mail Service; Ministerial Staff in Higher and Lower Selection Grades	Director of Postal Services; Regional Director of Postal Services	Director of Postal Services; Regional Director of Postal Services; Senior Superintendent/ Superintendent	All (i) to (iv)
Junior Engineer (Civil)		Director of Postal Services; Regional Director of Postal Services; Senior Supdt. of Post offices; Superintendent of Post offices	All (i) to (iv)
All other posts	Officer-in-charge of a Division	Officer-in-charge of a Division	All
Post Offices :			
Postmaster in Higher and Lower Selection Grades; Ministerial staff in Higher and Lower Selection Grades	Director of Postal Services; Regional Director of Postal Services	Director of Postal Services; Regional Director of Postal Services.	All

1	2	3	4	5
		Senior Superintendent/ Superintendent of Post Offices; Gazetted Post- master including Gazetted Sub-Postmaster.	(i) to (iv)	Director Postal Services, Regional Director of Postal Services.
		Deputy Presidency Post- master; Deputy Post- master in the Postmasters Services Group 'B'.	(i) to (iv)	Presidency Postmaster; Post- master in the grade of Presi- dency Postmaster.
Wireless Licensing Inspector	Officer-in-Charge of a Division	Officer-in-Charge of a Division.	All	Postmaster-General / Addl. Postmaster-General; Director Postal Services; Regional Director postal Services.
	Deputy Presidency Post- master; Dy. Postmaster in the Postmasters Service Gr. 'B'; Gazetted Postmaster & Sub-Postmaster [not under the control of a Divisional officer.	Dy. Presidency Post- master; Dy. Postmasters Service Gr. 'B' Gazetted Postmaster and Gazetted Sub-Postmaster not under the control of a Divisional officer.	All	Presidency Postmaster; Post- master in the grade of a Presidency Postmaster; Director/Regional Division Postal Services.
		Gazetted Postmaster in- cluding Gazetted Sub- Postmaster under the control of a Divisional officer.	(i) to (iv)	Director Postal Services; Regional Director of Postal Services.
Postmaster in time scale; Town Inspector of Post Offices; Ministerial Staff in the Clerical Grades; Over- seer Postman; Sorting Reader Postman; Head Postman; Departmental Branch Postmaster; Des- patch Rider.	Officer-in-Charge of a Division.	Officer-in-Charge of a Division.	All	Postmaster General/Addl. Postmaster General; Director Postal Services; Regional Director Postal Services.
	Dy. Presidency Postmaster; Dy. Postmaster in the Post- masters Service Group 'B'; Gazetted Postmaster and Gazetted Sub-Postmaster not under the control of a Divisional officer.	By Presidency Post- master; Dy. Postmaster in the Postmasters Ser- vice Group 'B'.	All	Presidency Postmaster; Post- master in the grade of Presi- dency Postmasters.
		Gazetted Postmaster in- cluding Gazetted Sub- Postmaster not under the control of a Divisional officer.	All	Director Postal Services; Regional Director of Postal Services.
		Gazetted Postmaster in- cluding Gazetted Sub- Postmaster under the control of a Divisional officer.	(i) to (iv)	Director Postal Services; Regional Director of Postal Services.
		Head Postmaster and Sub- Postmaster in the Higher Selection Grade (in res- pect of Town Inspector of Post Offices; Ministerial staff in Clerical Grades).	(i)	Officer-in-Charge of a Division.
		Head Postmaster and Sub-Postmaster in the Higher Selection Grade	(i) to (iv)	Officer-in-Charge of a Division

1	2	3	4	5
		(in his own office); Officer-in-Charge of a Sub-Division (in respect of Overseer; Overseer Postman; Sorting Postman; Reader Postmen; Head Postman; Departmental Branch Post-master).		
All other posts	Dy. Presidency Postmaster; Dy. Postmasters Service Gr. 'B' Gazetted Postmaster in-charge of Town Sub-Offices; Postmaster in Higher or Lower Selection Grade (in his own office) except a Postmaster in-charge of a Town Sub-office; officer in-charge of a Sub-Divisional (in all other offices).	Dy. Presidency Post-master; Dy. Postmaster in the Postmasters Service Group 'B'.	All	Presidency Postmaster; Postmaster in the Grade of Presidency Post master.
		Gazetted Postmaster including Gazetted Sub-Postmaster in-charge of Town Sub-Office. Officer in-charge of a Division.	All	Director Postal Services; Regional Director Postal Services.
			All	Postmaster General; Addl. Postmaster-General; Director of Postal Services; Regional Director of Postal Services.
		Assistant Presidency Post-master (in his own Department); Postmaster in Higher or Lower selection grade (in his own office) officer in-charge of a Sub-Divisional (in all other cases)	(i) to (iv)	Dy. Presidency Postmaster Officer in-charge of a Division.
(b) In Part-III-General Central Service, Group 'D' for the headings "Postal and Railway Mail Service Divisional and Sub-Divisional offices" and "Post Offices" and the entries thereunder, the following headings and entries shall be substituted namely :—				
"Postal & Railway Mail Service Divisional and Sub-Divisional Offices:				
All Posts	Officer-in-charge of a Division; Officer in-Charge of a Sub-Division.	Officer in-charge of a Division.	All	Postmaster General/Additional Postmaster General; Director of Postal Services; Regional Director of Postal Services.
		Officer in-charge of a Sub-Division.	(i) to (iv)	Officer-in-charge of a Division.
POST OFFICES :				
All posts	Dy. Presidency Postmaster, Dy. Postmaster in the Postmaster Service Group 'B' (in respect of staff under his administrative control)	Dy. Presidency Postmaster Dy. Postmaster in the Postmasters Service Group 'B' (in respect of staff under his administrative control).	All	Presidency Postmaster; Postmaster in the grade of Presidency Post-master.
		Assistant Presidency Postmaster (in his own Department).	(i) to (iv)	Dy. Presidency Postmaster.

1	2	3	4	5
	Gazetted Postmaster including Gazetted Sub-Postmaster incharge of a Town Sub-Office in Post offices under his administrative control.	Gazetted Postmaster including Sub-Postmaster, incharge of a Town Sub-office in Post Offices under his administrative control.	All	Director of Postal Services; Regional Director of Postal Services.
	Postmaster in Higher or Lower Selection Grades except a Postmaster incharge of a Town Sub-office (in his own Office); Officer incharge of a Sub-Division (in all other Post Offices).	Officer-in-charge of a Division.	All	Postmaster General; Addl. Postmaster-General; Director of Postal Services; Regional Director of Postal Services.
		Postmaster in Higher or Lower Selection Grades (in his own Office); Officer in-charge of a Sub-Division (in all other Offices)	(i) to (iv)	Officer in-charge of a Division."

[No. 12/7/82-Vig. III]

K.K. ARORA, Asstt. Director General (Vig. B)

नई दिल्ली, 23 अगस्त, 1984

का.आ. 2900.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने चिन्नालापति टेलीफोन केन्द्र में दिनांक 16-9-1984 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-4/84-पी० एच० बी०]

New Delhi, the 23rd August, 1984

S.O. 2900.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-9-1984 as the date on which the Measured Rate System will be introduced in Chinnalapati Telephone Exchange, Tamil Nadu Circle.

[No. 5-4/84-PHB]

का.आ. 2901.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने सिंगलान्दापुरम/गुरुसमिपल्लयम टेलीफोन केन्द्र में दिनांक 16-9-1984 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-4/84-पी. एच. बी.]

S.O. 2901.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-9-1984 as the date on which the Measured Rate System will be introduced in Singalandapuram Gurusamipalayam Telephone Exchange - Tamil Nadu Circle.

[No. 5-4/84-PHB]

नई दिल्ली, 25 अगस्त, 1984

का.आ. 2902.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने नल्लिमटम / अनुकूल/पथनी-केड/काडावूर/कोटापाडुडी टेलीफोन केन्द्र में दिनांक 16-9-84 से प्रमाणित दर प्रणाली करने का निश्चय किया है।

[संख्या 5-9/84-पी० एच० बी०]

बाई० आर० भसीन, सहायक महानिदेशक (पी० एच० बी०)

New Delhi, the 25th August, 1984

S.O. 2902.—In pursuance of para (a) of Section III of Rule 434 of India Telegraph Rules, 1951, as introduced S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specified 16-9-1984 as the date on which the Measured Rate System will be introduced in Nelhmatom/Oonnukal/Pothanicaad/Kadavoor/Kottappady Telephone Exchanges Kerala Circle.

[No. 5-9/84-PHB]

Y. R. BHASIN, Asstt. Director General (PHB)

श्रम और पुनर्वास मंत्रालय

(श्रम विभाग)

शुद्धिपत्र

नई दिल्ली, 2 अप्रैल, 1984

का.आ. 2903.—श्रम और पुनर्वास मंत्रालय (श्रम विभाग) की तारीख 25 अगस्त, 1983 की अधिसूचना संख्या का.आ. 225 में, जो कि भारत के राजपत्र में 21 जनवरी, 1984 को प्रकाशित हुई, "केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई" शब्दों के लिए "मध्यस्थ, श्री सी.टी. बिर्षे" शब्द रखे जायेंगे।

[संख्या एल-11013/1/82-डी-2 (बी०)]

टी. बी. सोतारामन, अव्वर सचिव

MINISTRY OF LABOUR & REHABILITATION

(Department of Labour)

CORRIGENDUM

New Delhi, the 2nd April, 1984

S.O. 2903 In the Notification No. S.O. 225 dated the 25th August, 1983 of the Ministry of Labour and Rehabilitation (Department of Labour) published in the Gazette of India dated the 21st January, 1984 for the words "Central Government Industrial Tribunal, Bombay", the words "Arbitrator, Shri C. T. Dighe" may be substituted.

[No. L-11013(1)/82-D.II(B)]

T. B. SITARAMAN, Under Secy.

आदेश

नई दिल्ली, 4 अगस्त, 1984

का.भा. 2904.—केन्द्रीय सरकार की राय है कि इससे उपाखण्ड अनुसूची में विनिर्दिष्ट विषय के बारे में तलचर कोलियरी डाकघर डेरा कोलियरी जिला धनकनल से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पोटासीन अधिकारी श्री के.सी. रथ होंगे जिनका मुख्यालय भुवनेश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या तलचर कोलियरी, डाकघर डेरा कोलियरी, जिला धनकनल के प्रबन्धतन्त्र की, भूमिगत उजरती दर के लोडरों को 23-4-1984 की प्रातः 7 बजे से कार्य की अनुमति न देने और औद्योगिक विवाद अधिनियम की धारा 9-क के अन्तर्गत उजरती दर के लोडरों के सम्बन्ध में सेवा की शर्तों को मनमाने तथा एक-पक्षीय रूप से परिवर्तित करने की कार्यवाही न्यायोचित है? यदि नहीं, तो भूमिगत उजरती दर के लोडर किस अनुतोष के हकदार हैं?"

[संख्या एल-19011(7)/84-डी-4(बी)]

एस. एस. मेहता, डैस्क अधिकारी।

ORDER

New Delhi, the 4th August, 1984

S.O. 2904.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Talcher Colliery, P.O. Dera Colliery, Distt. Dhenkanal and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. C. Rath shall be the Presiding Officer, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Talcher Colliery PO Dera Colliery, Distt. Dhenkanal in not allowing the underground piece rated loaders on duty with effect from 7 AM of 23-4-1984 and to introduce change of service conditions under Section 9A of the I.D. Act, arbitrarily and unilaterally in respect of underground piece rated loaders is justified? If not, to what relief the underground piece rated loaders are entitled?"

[No. L-19011(7)/84-D.IV(B)]

New Delhi, the 23rd August, 1984

S.O. 2905.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Kustore Area of M/s. Bharat Coking Coal Limited, P.O. Kustore, Dhanbad and their workmen, which was received by the Central Government on the 17th August, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

REFERENCE NO. 11 OF 1983

In the matter of industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Kustore Area of Messrs Bharat Coking Coal Limited, P.O. Kustore, Dist, Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri S. P. Singh, General Secretary, Khan Mazdoor Congress.

STATE : Bihar.

INDUSTRY : Coal

Dhanbad, dated the 13th August, 1984

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under section 10 (1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No.L-24012 (13)/82-D.IV(B) dated the 17th February, 1983.

SCHEDULE

"Whether the demand of the workman of East Bhugatdih Colliery of Kustore Area of Messrs Bharat Coking Coal Limited, Post Office Jharia (Dhanbad) that Shri Sharif Mian should be regularised on the post of Tyndal in Cat.IV as per NCWA is justified? if so, to what relief is the said workman entitled?"

The case of the workman is that the concerned workman Shri Sharif Mian was originally appointed as General Mazdoor from 17-10-71 in category I. In the year 1971 the concerned workman along with three others namely Manir Mia, Mani Rewani and Narayan Shaw were appointed as Coal Cutting Machine Helper which is the job of Cat.III as per the Coal Wage Board Recommendation. They continued to perform their duties of Coal Cutting Machine helpers (for bravery the same will be referred to as C.C.M. helpers) continuously and regularly till the end of 1977. In the end of 1977 the CC Machine on which the concerned workman and three others were working was stopped and thereafter they were given the alternative job of Tyndal in the Engineering Section in Cat. V. The concerned workman took leading part in pressing for regularisation of his job and three others

such the concerned workman was regularised in Cat. III whereas the three others namely Manir Mian, Main Kewani and Narayair Shaw were regularised in Cat. IV although all of them were doing the same job of Tyndal from January, 1978. The concerned workman was penalised for demanding his just right and as such the management victimised him.

On 6-7-76 a meeting of the consultative committee was held in which it was agreed that those workers who are working on higher category for 6 months continuously will be regularised on the same job and the concerned workman along with three others had represented their case before the management for regularisation in the light of the aforesaid settlement dated 6-7-76. When the concerned workman was not regularised in Cat. IV., the union raised an industrial dispute before the ALC(C) Dhanbad for his regularisation as Tyndal in Cat. IV with retrospective effect. The management submitted their W.S. before the ALC(C) on 15-10-81 stating that the matter for regularisation to the concerned workman was already referred to the Area Office. On the above assurance in the W.S. of the management the union withdrew the dispute but inspite of several reminders the management kept silent over the matter and did not regularise the concerned workman in Cat. IV. Thereafter the union again raised an industrial dispute before the ALC(C), Dhanbad and on failure of the conciliation proceeding the present reference was made. The concerned workman was eligible to be regularised as Tyndal in Cat. IV from 1978 and his non-regularisation deprived him from the basic and annual increment of Cat. IV. The action of the management by putting the concerned workman in Cat. III and other three in Cat. IV doing similar job was not only illegal and arbitrary but it was an unfair motivated labour practice. The concerned workman has demanded that he may be regularised with retrospective effect and that the Award may be passed in his favour.

The case of the management is that the concerned workman was appointed as C.C. Machine Mazdoor and was holding the substantive post of C.C. Machine Mazdoor in Cat. III. In the year 1980 the concerned workman and other became surplus to the requirement of the management and they could not be engaged as C.C. Machine Mazdoor as the C.C. Machine was stopped. The management, therefore, gave the concerned workman and others alternative job. The concerned workman was given the alternative job of Tyndal in order to accommodate him in the Colliery. At the request of the concerned workman he was allowed to work in the same colliery as Tyndal without his transfer and thus got the benefit of working on higher category job and was getting the difference of wages between higher category job and Cat. III. The management has to maintain a permanent gang of Tyndal and on some occasions require more Tyndal depending upon the availability of jobs. Before increasing the permanent strength of Tyndal the post must be created and then only workman working in that capacity may apply for his regularisation in that post. Whenever vacancy arose in higher category job, some workman from lower category jobs are given chance to work on such job. The concerned workman had also been given chance to work as C.C. Machine Mazdoor and was paid the wages of Cat. III. At first he was put on casual basis and subsequently he was confirmed in Cat. III. He continued to work as C. C. Machine Mazdoor up to the year 1980 when the C. C. Machine was stopped. The management has the policy of confirming a workman on higher category if he hold a permanent post substantively for a period of 6 months or more and his performance is satisfactory and accordingly the concerned had been confirmed as C. C. Machine helper in Cat. III when a permanent post was available. The workmen who are working as C. C. Machine helpers were given the job of Tyndal after closure of C. C. Machine in the year 1980. Each workman was regularised as Tyndal or in other capacity after he put more than 6 months of continuous service in a permanent post subject to availability of vacancies. The three workmen named by the concerned workman were found suitable for the jobs of Tyndal permanently and accordingly they were regularised. The concerned workman will also be regularised shortly as the permanent vacancy of Tyndal is going to arise very soon. So long permanent vacancy does not arise the concerned workman has to work as Tyndal in leave, sick and temporary vacancy. The workman has no right to claim pro-

motion to higher category and if he is working on a job of higher category he is only entitled for difference of wages.

The only point for consideration is whether the concerned workman should be regularised on the post of Tyndal of Cat. IV retrospectively.

The concerned workman examined two witnesses including himself in support of his case. He also exhibited 13 documents. The management neither examined any witness nor produced any document as exhibit.

From the W.S. of the parties it is clear that the concerned workman was working as Tyndal in Cat. IV after the stoppage of the C. C. Machine and that he was getting the difference of Wages between Cat. III and Cat. IV. It is also admitted by WW-2 Md. Sharif Mian that he has been regularised as Tyndal in 1984 and is getting wages of Cat. IV since January, 1984. The concerned workman is claiming wages of Cat. IV from 1975. Admittedly, the concerned workman (WW-2) has stated in his evidence that he had worked as General Mazdoor upto 1974 and he was working as C. C. Machine helper in Cat. II from 1975. He has further stated that he worked as C. C. Machine helper till 1977 and that in the end of 1977, the C. C. Machine was stopped and thereafter he was given the work of Tyndal. The concerned workman, therefore, appears to have been working as Tyndal from 1977 as stated by him and as such I do not understand as to how he is claiming wages of Cat. IV from 1975 when he was only C. C. Machine helper in Cat. III till the end of 1977.

It will appear from para 4 and 5 of the W.S. of the management that in the year 1980 the concerned workman became surplus to the requirement of the management as C. C. Machine Mazdoor and thereafter he was given the alternative job of Tyndal. Thus according to the management the concerned workman was given the job of Tyndal in Cat. IV in the year 1980. It will appear from Ext. W-1 dated 4-9-81 which is a representation by the General Secretary of the Union to the Manager regarding regularisation of the job of the concerned workman as Tyndal. It is stated that the concerned workman was working as C. C. Machine helper in Cat. III and since last two years he is regularly working as Tyndal. Thus it appears that the concerned workman was working as Tyndal since about September, 1979. In Ext. W-2 dated 17-9-81 which is a letter from the General Secretary of the Union to the ALC(C) also it is stated that the concerned workman was performing the duty of Tyndal since more than two years regularly. Ext. W-6 is the letter from the General Secretary of the Union to the ALC(C), Dhanbad dated 26-3-82 in which it is stated that the concerned workman was working as Tyndal since last three years regularly and thus this letter also shows that the concerned workman was working as Tyndal sometime since 1979. Ext. W-9 is another letter from the General Secretary of the Union to the Dy. Personnel Manager of the management which also shows that after the C.C. Machine was stopped since January, 1979 the concerned workman was working as Tyndal. Thus from the documents adduced on behalf of the workman it appears that the concerned workman was working as Tyndal since January, 1979, or thereafter and as such the concerned workman cannot claim to be a Tyndal prior to that.

WW-2 has stated in his cross-examination that permanent posts are fixed after examining the work but he did not know if the persons are regularised in higher category when permanent vacancy occurs. He has stated that all other workmen who had been given alternative jobs were regularised in the same manner when permanent posts became available. The management has tried to cross-examine him on the point as to when a person working in the higher category is regularised and it appears from the evidence of WW-2 that a person is regularised when permanent post becomes available. The said procedure has been made more clear in the evidence of WW-1. He has stated that when a person is put on a higher job, his performance is observed for certain periods and during the said period he gets the difference of higher wages. He has further stated that he has not seen any paper regarding the total strength of Tyndal required in the Colliery. It appears from his evidence that the concerned workman has also been regularised as Tyndal in Cat. IV. There is no evidence or even a statement in the W.S. of the concerned workman to the effect that a

permanent vacancy existed in which the concerned workman could be regularised as a Tyndal. However, there is one important document which may be of some use for arriving at some definite conclusion regarding the period since when the concerned workman can be regularised as Tyndal in Cat. IV. Ext. W-11 dated 27-8-82 is a letter from the Deputy Personnel Manager, Kustore Area to Shri S. P. Singh, General Secretary, Khan Mazdoor Congress which is the union representing the concerned workman. It will appear that a copy of this letter was given to the concerned workman also. It will further appear from this letter that some settlement had been arrived at between the union and the management in connection with the regularisation of the concerned workman as Tyndal on 20-7-82. It appears that the parties had come to terms and were to sign the terms of the agreement and the management had written to the Secretary of the Union to sign the terms of settlement. It also details the terms of the agreement which had been arrived at between the union and the management. It appears that the parties had agreed that the concerned workman will be regularised by the management in Cat. IV as Tyndal w.e.f. 1-7-1982 and that his pay will be fixed in Cat. IV (daily rated—NCWA-II) at the minimum of the pay scale of Rupees 17.75-0.53-24.11 per day besides allowance as laid down in NCWA-II. It appears that the said settlement was not signed by the union. It will thus be clear from this letter that the management had agreed to regularise the concerned workman as Tyndal in Cat. IV w.e.f. 1-7-82 and as such it is apparent that there was a permanent vacancy for the post of Tyndal since 1-7-82 and as such the agreement was for regularisation of the concerned workman in the said post since 1-7-82. Admittedly, the concerned workman was working as Tyndal since more than two years and there was permanent vacancy in the post of Tyndal vide Ext. W-11 and as such there was no impediment in regularising the concerned workman as Tyndal in Cat. IV w.e.f. 1-7-82. Leaving aside the other matters which have been tried to be disputed, I think that as the management had agreed to regularise the concerned workman as Tyndal in Cat. IV w.e.f. 1-7-82, the concerned workman could be regularised as Tyndal in Cat. IV w.e.f. 1-7-82.

In view of the facts, evidence and circumstances of the case discussed above, I hold that the concerned workman should be regularised on the post of Tyndal in Cat IV since 1-7-82 and he is entitled to all the benefits of Cat. IV since 1-7-82.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-24012(13)/82-D.IV(B)]
S. S. MEHTA, Desk Officer

आदेश

नई दिल्ली, 4 अगस्त, 1984

का.आ. 2906.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में सिंगरेनी कोलियरीज कं. लि., हाकवर बेल्लमपल्ली के प्रबन्धतन्त्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 को उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री आई. पांडुरंगा राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या सिंगरेनी कोलियरीज कं. लि. के बेल्लमपल्ली डिब्बिजन के प्रभागीय अधीक्षक के कार्यालय में स्थानापन्न पिट कार्यालय सहायक, श्री ए. सम्बासिवराव, पिट कार्यालय सहायक के रूप में स्थायी किये जाने के पात्र हैं? यदि हाँ, तो सम्बन्धित कर्मकार किस अनुतोष का हकदार है और किस तारीख से?”

[संख्या : एल-22012/26/84-डी-3 (बी)]

ORDERS

New Delhi, the 4th August, 1984

S.O. 2906.—Whereas the Central Government is of opinion that an industrial dispute exists between the employer in relation to the management of Singareni Collieries Co. Ltd. P.O. Bellampalli and their workman in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (J) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with head-quarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether Shri A. Sambasiva Rao, officiating Pit Office Assistant in the office of the Divisional Superintendent, Bellampalli Division of Singareni Collieries Co. Ltd., is entitled to be confirmed as Pit Office Assistant? If so, to what relief is the workman concerned entitled and from what date?”

[No. L-22012/26/84-D.III(B)]

नई दिल्ली, 6 अगस्त, 1984

का.आ. 2907.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में सिंगरेनी कोलियरीज कं. लि. के प्रबन्धतन्त्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री आई. पांडुरंगा राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या सिंगरेनी कोलियरीज कं. लि., की कुछ खानों में दो “परठे” और एक अंडा मुफ्त दिये जाने की परम्परा है तथा मै. सिंगरेनी कोलियरीज कं. लि.

के प्रबन्धनत्व की, रामागुंडम और बेल्लमपल्ली क्षेत्रों की कुछ खानों में दो "परांठे" और एक अड़ा मृगत दिये जाने की रोकने की कार्यवाही न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष के हकदार हैं?"

[संख्या : एल-22011(22)/84-डी-3(बी)]

New Delhi, the 6th August, 1984

S.O. 2907.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Singareni Collieries Co. Ltd. and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether free supply of two "Parotas" and one egg in some mines of M/s. Singareni Collieries Co. Ltd. was a customary concession, and whether the action of the management of M/s. Singareni Collieries Co. Ltd. in stopping the free supply of two "Parotas" and one egg in some mines of Ramagundam and Bellampalli areas is justified? If not, to what relief concerned workman are entitled?"

[No. L-22011(22)/84-D.III(B)]

का. प्र. 2908.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में गुजरात खनिज विकास निगम, अहमदाबाद से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी. एस. बरोत होंगे, जिसका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या गुजरात खनिज विकास निगम, लिगनाईट परियोजना, पन्धरो (कच्छ) के प्रबन्धनत्व की अपने कर्मकारों को परिवहन सुविधा या उसके बदले भत्ता उपलब्ध न कराने में कार्यवाही न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष के हकदार हैं और किस तारीख है?"

[सं. एल-29011/5/84-डी-III(बी०)]

नंद लाल, अवर सचिव

S.O. 2908.—Whereas the Central Government is of opinion that an industrial dispute exists between the employer in relation to the Gujarat Minerals Development Corporation, Ahmedabad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the management of Gujarat Minerals Development Corporation, Lignite Project, Panandhro (Kutch) are justified in not providing the transport facility to their workers or allowance in lieu thereof? If not, to what relief are the workmen concerned entitled and from what date?"

[No. L-29011/5/84-D.III(B)]

New Delhi, the 22nd August, 1984

S.O. 2909.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Bailadilla Iron Ore Project, Deposit No. 44 and their workmen, which was received by the Central Government on the 7th August, 1984.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(47)/1983

PARTIES :

Employers in relation to the management of Bailadilla Iron Ore Project, Deposit No. 14, P. O. Kirandul, Distt. Bastar (M.P.) and their workmen, represented by the Union Bhartiya Khadan Shramik Sangh, Near Post Office, P.O. Kirandul, Distt. Bastar (M.P.).

APPEARANCES :

For Union—Shri R. C. Shukla, Secretary.

For Management—Shri P. S. Nair, Advocate and Shri J. D. N. Rao, A.P.O.

INDUSTRY : Iron Ore DISTRICT : Bastar (M.P.)

AWARD

Dated, July 26th, 1984

The Central Government in exercise of its powers conferred under Section 10 of the Industrial Disputes Act, 1947 referred the following question for adjudication vide Notification No. L-26012(8)/83-D.II, (B) dated 24th August, 1983 :—

"Whether the action of the management of Bailadilla Iron Ore Project Deposit No. 14 in terminating the services of Shri N. Madhavan, LVD with effect from 18-2-82 is justified? If not, to what relief is the workman entitled to?"

2. The matter remained pending for sometime when the parties filed an agreement Shri R. C. Shukla on behalf of the Union deposed that the parties have settled the dispute as per the terms of the settlement Ex. W/1. Shri J. D. N. Rao, Assistant Personnel Officer, on behalf of the management also deposed that the parties have amicably settled the matter in terms of Ex. W/1 filed by the Union Ex. W/1. He identified the signatures of Shri Manmohan Singh, Personnel Manager and Shri M. K. Chatterjee, Asst. Personnel Officer who signed the settlement. The parties had signed:

before him. He also identified the signature of Shri R. C. Shukla and Shri S. R. Nair. After the execution of the agreement the same has been given full effect. In view of the settlement which is reasonable I make the following award :—

1. The management of Bailadila Iron Ore Project Dep. 14 will give fresh emolument to Shri N. Madhavan with effect from 1-3-84 in the post of Light Vehicle Driver and his pay will be fixed at Rs. 715 in the scale of Rs. 585—823 after protecting the last pay drawn by him on the day of termination of service and taking into account the increments which would have accrued till date.
2. This settlement is in full and final settlement of dispute raised by the applicant in the matter, and the union will not raise the dispute pertaining to Shri Madhavan before any authority in respect of seniority of past services, back-wages, gratuity etc.

There shall be no order as to costs.

K. K. DUBE, Presiding Officer
[No. L-26012/8/83-D III (B)]
NAND LAL, Under Secy.

New Delhi, the 10th August, 1984

S.O. 2910.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of South Govindpur Colliery of M/s. Bharat Coking Coal Ltd., Post Office Sonardih, District Dhanbad, and their workmen which was received by the Central Government on the 2nd August, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 138 of 1982

In the matter of an industrial dispute under S. 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of South Govindpur Colliery of M/s. Bharat Coking Coal Ltd., P. O. Sonardih, Dist. Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers.—Shri B. Joshi, Advocate.
On behalf of the workmen.—Shri B. Lal, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 26th July, 1984

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them under section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(229)/82-D.III (A), dated the 30th November, 1982.

SCHEDULE

"Whether the demand of the workmen of South Govindpur Colliery of Messrs Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad for Technical Grade-C to Shri R. P. Upadhyaya is justified? If so, to what relief is the said workman entitled?"

The case of the Union is that the concerned workman Shri R. P. Upadhyaya was employed as Electrician in the year 1969 by the erstwhile employers of South Govindpur Colliery where he continues to work. The concerned workman was interviewed by the Area Engineer to test his fitness for the job of Foreman (Electrical) on 28-4-80 and he was

found fit for the job. The concerned workman was asked by the Manager of the Colliery vide his letter dated 9-8-80 to work as Foreman (Electrical) and since then the concerned workman is working Electrical Foreman. The Superintendent/Agent of the Colliery vide his letter dated 13/20-4-80 recommended and proposed to the General Manager Area No. III to confirm and regularise the concerned workman on the post of Foreman (Electrical) in Technical Grade-C with a basic salary of Rs. 688 P.M. The said proposal failed to receive attention of the authorities. Thereafter the concerned workman submitted an application through the Superintendent of the Colliery to the General Manager Area No. III, Govindpur requesting to confirm and regularise him on the post of Foreman (Electrical). The concerned workman based his claim on the strength of Clause 3(c) of the Model Standing Orders adopted by the management. The application of the concerned workman was forwarded by the Superintendent/Agent of the Colliery with his forwarding note to the General Manager, Area No. III Govindpur stating that the facts stated by the concerned workman in his application was true and that his claim should be favourably considered. The application of the concerned workman having failed to receive attention of the General Manager, the Union wrote to the ALC (C) Dhanbad requesting to intervene in the matter and proceed in the conciliation proceedings. The conciliation proceeding failed and a failure report was submitted to the Government of India, Ministry of Labour and thereafter the present reference was made. The concerned workman is continuously working as Foreman (Electrical) since 9-8-80 and as such the action of the management in not affording him the designation of Foreman and depriving him of his proper grade as per the job he is performing is illegal and unjustified. In nut shall, the demand of the union is simply to regularise the concerned workman on the job of Electrical Foreman since 9-8-80. Apart from the Departmental Promotion Committee, the promotion to higher grade is done on the recommendation of the Colliery Management and version of the management that promotion to higher grade is done only through Departmental Promotion Committee is not correct. It is not true that an Electrician is promoted to the post of Electrical Asstt. Foreman or Electrical Foreman only after he possesses Electrical Supervisorship Certificate. Shri Rampati Singh of South Govindpur Colliery has been promoted to the post of Electrical Foreman of Grade-B in the year 1982 although he does not possess the Electrical Supervisorship certificate which will show that the assertion of the management is not correct. Shri Rampati Singh is junior to the concerned workman as Electrician. The concerned workman was appointed as Electrician in the year 1969 whereas Shri Rampati Singh was appointed as Electrician in the year 1973. The Agent/Manager of the collieries authorise a worker to do the job of designation other than his designation if the Manager feels shortage of such workman and the workmen so authorised has experience to do the job efficiently.

On the above facts it is submitted that the Award be passed placing the concerned workman in Technical Grade-B from the date he was authorised and declared as Electrical Foreman with wage of Grade-B retrospectively.

The case of the management is that the concerned workman is an Electrician and the demand of the union to put an electrician in Technical Grade-C is unreasonable and unjustified. The management has a promotion policy for promotion from one category to the higher Category. All eligible candidates are allowed to appear before the Departmental Promotion Committee for their trade test for the purpose of adjudging merits and suitability depending upon the number of higher posts available. The recommendation for promotion is made by the Departmental Promotion Committee according to merit-cum-seniority-cum-suitability basis and thereafter the General Manager of the area passed the order of promotion. The management has not delegated the power of promotion to the manager or the Engineer of the Collieries. The concerned workman is an Electrician in Cat. VI. It is the normal practice to promote an Electrician to the post of Asstt. Foreman after he possesses all the relevant qualifications and electrical supervisorship certificate and thereafter he is promoted to the post of Electrical Foreman. The concerned workman is not eligible for promotion to the post of Electrical Foreman or Asstt. Foreman and as such he is not entitled to be placed in Grade-C. The concerned workman influenced the colliery Officers and got the authorisation to work as Electrical Foreman. The so-called authorisation is outside the power or authority of the manager

of the Colliery and as such the authorisation to the concerned workman is illegal and void. The concerned workman cannot perform the duties of Electrical Foreman under the India Electricity Act. The authorisation has been given to him under the Mines Act. The General Manager is not bound to accept any illegal and void recommendation. The policy of regularisation is in consonance with the policy of promotion laid down by the management. If the policy of regularisation is followed, the favourite of the management of the Colliery could be authorised to work on some higher post for four months and then regularised on that post overlooking the claim of the senior workmen. On the above submission it has been submitted on behalf of the management that the concerned workman is not entitled to any relief.

The only question to be determined in this case is whether the concerned workman is entitled for Technical Grade-C.

The union examined four witnesses and the management examined three witnesses in support of their respective cases. The workmen have exhibited 11 items of documents and the management has exhibited seven items of documents.

The case of the management is that the concerned workman was promoted from Electrician Cat. V to Electrician Cat. VI vide Ext. M-2 dated 7-6-78 and the said fact is not denied on behalf of the workmen. The management has referred to the Ext. M-6 which is the photostat copy of promotion policy for E & M cadre in BCCL dated 20-2-78 to show the eligibility terms and channel of promotion. It will appear from para 4(iii) which deals with the consideration to the post of Asstt. Foreman. It provides the criteria for promotion to the post of Asstt. Foreman (Electrical). Admittedly, some of the criteria provided in it are not fulfilled by the concerned workman in accordance with the promotion policy of the BCCL as the concerned workman has not completed ten years of service in Cat. VI vide Ext. M-2 and does not possess H. T. Wireman Permit under Electricity Rules.

The case of the concerned workman on the other hand is that the claim is not being made in accordance with the promotion policy of the management but the claim is for regularisation on the post of Electrical Foreman where the concerned workman is working continuously since his authorisation from 9-8-80. It will appear from Ext. W-6 which is the authorisation issued to the concerned workman under the signature of the Manager-cum-Agent of South Govindpur Colliery to work as Electrical Foreman under the Coal Mines Regulation. The management has stated in para 8 of their W-8 that the authorisation is a manipulated document. It will appear from the management's own paper Ext. W-8 that the Superintendent of South Govindpur Colliery gave a note dated 18-4-81 showing that the concerned workman is working as Electrician in the said colliery and that the concerned workman was authorised as Foreman Electrical w.e.f. 9-8-80 and is performing his job to the satisfaction of all concerned. The Supdt. proposed that the concerned workman be placed in Technical Grade-C w.e.f. 1-1-81. Ext. W-10 dated 21-9-82 and Ext. W-11 dated 25-9-82 are the two Office Orders of the Agent of South Govindpur Colliery which show that the concerned workman was directed to attend development programme w.e.f. 21-9-82 and that after training he was directed to report to his normal duties at the Colliery from 26-9-82. In both these documents the concerned workman has been described as Electrician (Foreman). MW-1 Shri N. N. Mehta is the Agent under whose signature Ext. M-10 and M-11 were issued. He has stated that he recommended the name of the concerned workman who was Electrical Foreman to attend the development programme w.e.f. 21-9-82 vide Ext. W-10. He has no doubt in his cross-examination stated that the word 'Foreman' has been typed afterwards in the designation of the concerned workman as Electrician and he has stated that he had to check whether the copies of Ext. W-10 and 11 were available in the Office but the management has not produced any paper to show the designation of the concerned workman given in Ext. W-10 and W-11 as Electrician Foreman is wrong or that Foreman has been subsequently typed on these two Exhibits. The fact that the concerned workman was working as Foreman Electrician will also appear from Ext. W-8 and as such it cannot be said that there has been any interpolation in Ext. W-10 and W-11. MW-1 has stated that the concerned workman has same technical qualification as that of Shri Rampati Singh and that the said Rampati Singh was formerly

Asstt. Foreman and is presently working as Foreman Electrical. Thus so far the qualifications of the concerned workman is concerned, it is admitted, that he has the same technical qualification as that of Rampati Singh and as Rampati Singh was promoted as Foreman, the concerned workman also having the said technical qualification may be promoted to the post of Electrical Foreman.

MW-2 Shri P. K. Ghosh was an engineer of South Govindpur Colliery from 1980 to 1982. He has stated that the concerned workman was working as Shift electrician during that period and that he used to work as Shift electrician without the help of any Supervisor or Foreman. He has stated that one Foreman is needed in each shift. The case of the concerned workman is that he used to be a Foreman in one of the shift and was working independently without the help of any supervisor. It will appear from the evidence of MW-3 who is working as Executive Engineer in South Govindpur Colliery since July, 1982 that Attendance Register used to be maintained which would show the shift in which a person had worked. Ext. M-7 series are photostat copies of Attendance Registers from 27-12-81 to 25-12-82 which will show that the concerned workman Shri R. P. Upadhyaya has been shown as Electrical Foreman during that period. MW-1 Lal Chand Rai is working as Attendance Clerk in South Govindpur Colliery since 1956. He has stated that the concerned workman is an Electrical Foreman since about two years and that his attendance was marked by him in the attendance Register as Electrical Foreman. He has stated that on the basis of authorisation given by the Manager he had marked the attendance of the concerned workman as Electrical Foreman. Ext. M-7 series have been produced by the management, themselves and is their document which clearly shows that the concerned workman was working as Foreman for about a year. MW-4 is the concerned workman himself. He has stated that in 1980 he was interviewed for the post of Electrical Foreman and after interview he got authorisation to work as Electrical Foreman vide Ext. W-6. He has stated that the Agent had recommended his case for regularisation in the post of Electrical Foreman. He has also proved Ext. W-7 dated 28-4-80 which is a note under the signature of Shri Bose Area Engineer showing that he was found fit to work as Electrical Foreman. He has proved Ext. W-8 in which the Superintendent of South Govindpur Colliery had proposed the concerned workman to be placed in Technical Grade-C w.e.f. 1-1-81. The concerned workman has clearly stated that he is working regularly since 1980 as Electrical Foreman till the date and his statement finds support from Ext. M-7 series atleast for a period about one year when he was working regularly as Electrical Foreman. It will appear from the evidence discussed above that the concerned workman had been authorised to work as Electrical Foreman from 9-8-80 and that he had worked continuously for more than one year as Electrical Foreman. It will also appear that his work was found to be quite satisfactory as Electrical Foreman and that the authorities of South Govindpur Colliery had recommended for regularising him to the post of Electrical Foreman in Grade-C. The management did not file Attendance Registers after 25-12-82 for various reasons. It will appear from the perusal of the oral and documentary evidence of the parties that the concerned workman is actually working as Electrical Foreman since his authorisation on 9-8-80.

The case of the management is that the management promotes a workman on the basis of its own promotion policy as laid down in Ext. M-6 and that the regularisation policy is not being adhered to by the management. The workmen have produced some documents to falsify the stand of the management that they have promoted workmen only on the basis of the promotion policy. Ext. W-2 dated 30-5-83 is a memorandum of settlement arrived at between the management of Govindpur Area and the union which shows that one Shri N. P. Singh who had been authorised to function as Loading Supervisor was placed in Clerical Grade-I w.e.f. 1-1-83. Ext. W-3 dated 13/14-12-82 is a letter from the Kooridih Colliery which shows that one Shri Madan Ram, Munshi working as Bill Clerk in Grade-II was regularised as Bill Clerk from May, 1981. Ext. W-4 dated 7-1-84 is an Office Order issued by the Manager Kooridih Colliery which was approved by the General Manager Area No. III which shows that the workmen named in it were regularised as shown in the post in which they were working, although they were holding a lower category. Ext. W-5 is an Office Order dated 18-2-83 by the Agent of Govindpur Colliery which shows that Shri Brojendra Roy, Fan Operator was authorised

as Hindi Typist in Grade-II Clerk w.e.f. 1-1-83. These are some of the Office Orders and Memo of settlement to show that the management was regularising workman in higher category in which they were working, although they were holding lower substantive category. It is clear, therefore, from the above that the management was regularising workmen in the higher category to which they were authorised to work although they were in the lower category without following the promotion policy of their own as laid down in Ext. M-6.

The concerned workman was authorised to work as Electrical Foreman and he was regularly working as such for more than three years. His work was satisfactory and the Officers of the management had recommended his name for being regularised in the post of Electrical Foreman in Grade C and as such I hold that the concerned workman should have been regularised as Electrical Foreman in Technical Grade-C.

In view of the discussion made above I hold that the demand of the workmen for Technical Grade-C to the concerned workman Shri R. P. Upadhyaya is justified. Accordingly the concerned workman is entitled to the payment of wages of Technical Grade-C from 9-8-80.

This is my Award.

Sd/-

I. N. SINHA, Presiding Officer
[No. L-20012(229)/82-D.III (A)]
A. V. S. SARMA, Desk Officer

नई दिल्ली, 21 अगस्त, 1984

का.आ. 2911.—कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 16 की उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और मामले की परिस्थितियों को ध्यान में रखते हुए, केन्द्रीय सरकार यह राय होने पर कि ऐसा करना समीचीन है, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट स्थापनों के निम्नलिखित वर्गों को 1 सितम्बर, 1984 से तीन वर्ष की अवधि के लिए उस अधिनियम के प्रवर्तन से, उसमें विनिर्दिष्ट शर्तों के अधीन रहते हुए छूट देती है, अर्थात् :—

अनुसूची

क्रम स्थापनों की विशिष्टियाँ
संख्या

1. ऐसे सभी स्थापन (जिनके अन्तर्गत विश्व-विद्यालय भी है) जिनकी स्थापना या तो संसद के या किसी राज्य विधान सभा के किसी अधिनियम के अधीन की गई है, और जिनके कर्मचारी सम्बद्ध अधिनियमों के अधीन बनाए गए नियमों या विनियमों के अनुसार अभिदायी भविष्य निधि कुटुम्ब पेंशन और निक्षेप सहबद्ध बीमा या अनभिदायी भविष्य निधि पेंशन और निक्षेप सहबद्ध बीमा प्राप्त कर रहे हैं ;
2. ऐसी सभी शैक्षिक संस्थाएं जिनके कर्मचारी राज्य/केन्द्रीय सरकार के कर्मचारियों के समतुल्य अभिदायी भविष्य निधि, कुटुम्ब पेंशन और निक्षेप सहबद्ध बीमा या अनभिदायी भविष्य निधि पेंशन और निक्षेप सहबद्ध बीमा प्राप्त कर रहे हों ;

3. ऐसे सभी स्थापन जो सोसाइटी रजिस्ट्रीकरण अधिनियम, 1860 के अधीन सोसाइटी के रूप में रजिस्ट्रीकृत हैं और जिनके कर्मचारी राज्य/केन्द्रीय सरकार के कर्मचारियों के समतुल्य अभिदायी भविष्य निधि, कुटुम्ब पेंशन और निक्षेप सहबद्ध या अनभिदायी भविष्य निधि पेंशन और निक्षेप सहबद्ध बीमा प्राप्त कर रहे हैं ।

[संख्या : एस-35014/2/84-पी.एफ.-2]

New Delhi, the 21st August, 1984

S.O. 2911.—In exercise of the powers conferred by sub-section (2) of section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after having regard to the circumstances of the case, is of the opinion that it is expedient so to do, hereby exempt the following classes of establishments specified in the Schedule annexed hereto, from the operation of the said Act for a period of three years with effect from the 1st September, 1984, subject to the conditions specified therein namely :—

SCHEDULE

Sl. No. Particulars of establishments

1. All establishments (including universities) which have been set up under either an Act of Parliament or of State Legislature and whose employees are in receipt of contributory provident fund, family pension and deposit linked insurance or non-contributory provident fund, pension and deposit linked insurance in accordance with the rules or regulations framed under the respective Acts;
2. All educational institutions, whose employees are in receipt of contributory provident fund, family pension and deposit linked insurance or non-contributory provident fund, pension and deposit linked insurance at par with State/Central Government employees;
3. All establishments, which are registered as 'Society' under the Societies Registration Act, 1860 and whose employees are in receipt of contributory provident fund, family pension and deposit linked insurance or non-contributory provident fund, pension and deposit linked insurance at par with State/Central Government employees.

[No. S-35014/2/84-PF-II]

नई दिल्ली, 23 अगस्त, 1984

का.आ. 2912.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 26 अगस्त, 1984 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

1. "आन्ध्र प्रदेश राज्य के आदिलाबाद जिले के अन्तर्गत पश्चिम में आसिफाबाद तालुक के महाजनगुडा (पूर्व) बन्जारी (उत्तर) और

दक्षिण में सीरपुर तालुक के बोरी/ग्रामों के राजस्व ग्रामों में धिर आसिफाबाद तालुक के लान्जागुडा के क्षेत्र और

- 2 आन्ध्र प्रदेश राज्य में आदिलाबाद जिले के अन्तर्गत दक्षिण में लाजागुडा और पश्चिम में सीरपुर तालुक के पूर्वी बारीगुडा तथा उत्तर में आसिफाबाद तालुक के पासिनागाव के राजस्व ग्रामों में धिरे आसिफाबाद तालुक के वन्जारी के क्षेत्र।”

[संख्या एस-384013/12/84-एच आई]

New Delhi, the 23rd August, 1984

SO 2912—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 26th August, 1984 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh, namely —

- 1 The area of Lanjaguda of Asifabad Taluk surrounded by the revenue Villages of Mahajanguda (East) Wanjari (North) of Asifabad Taluk and Borigam of Sirpur Taluk in the South and West in Adilabad District of Andhra Pradesh State, and
- 2 The area of Wanjari of Asifabad Taluk surrounded by Revenue villages of Lanjaguda in the South and East Bariguda of Sirpur Taluk in the West and Passingao of Asifabad Taluk in the North within the District of Adilabad in the State of Andhra Pradesh

[No S-38013/12/84-HI]

कां.आ. 2913—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 26 अगस्त, 1984 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79, और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उड़ीसा राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् —

“जिला कटक में तहसील कटक सदर के राजस्व निरीक्षण टागी क्षेत्र के अन्तर्गत हड़दा के राजस्व ग्राम।”

[संख्या एस-38013/13/84-एच आई]

SO 2913—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 26th August, 1984 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa, namely —

“Revenue village of Haduota, under Revenue Inspection Tangi circle of Cuttack Sadar Tehsil in the District of Cuttack”

[No S-38013/13/84-HI]

का आ 2914—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के अनुसरण में श्रीमती गिरिजा ईश्वरन के स्थान पर श्री एम एल मजूमदार को कर्मचारी राज्य बीमा निगम में सदस्य के रूप में नामनिर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का आ 850 (अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिसूचना में “(केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मद 5 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् —

“श्री एम एल मजूमदार,
वित्तीय सलाहकार,
श्रम और पुनर्वास मंत्रालय,
श्रम विभाग, नई दिल्ली।”

[संख्या यू 16012/16/81 एच आई]

SO 2914—Whereas the Central Government has, in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri M L Majumdar as a member of the Employees' State Insurance Corporation, in place of Smt Girija Eswaran,

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No 850(E), dated the 21st October, 1980, namely —

In the said notification, under the heading “(nominated by the Central Government under clause (c) of section 4)”, for the entry against Serial Number 5, the following entry shall be substituted, namely —

“Shri M L Majumdar,
Financial Adviser,
Ministry of Labour & Rehabilitation,
Government of India,
New Delhi”

[No U-16012/16/81-HI]

नई दिल्ली, 24 अगस्त, 1984

का आ 2915—हरियाणा राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 10 की उप-धारा (1) के खण्ड (घ) के अनुसरण में डा ए सी फोगट के स्थान पर डा० ओ० पी० देहार, सहायक निदेशक (सामाजिक बीमा) स्वास्थ्य सेवा, हरियाणा सरकार चण्डीगढ़ को चिकित्सा प्रमुखिधा परिषद में उस राज्य से प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है ,

अन : अब केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 10 की उप-धारा (i) के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 3329, दिनांक 19 नवम्बर, 1981 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में “(संबंधित राज्य सरकारों द्वारा धारा 10 की उपधारा (i) के खण्ड (घ) के अधीन नामनिर्दिष्ट)” “शीर्षक के नीचे मद 8 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात्:—

“डा. ओ. पी. देहार,
सहायक निदेशक (सामाजिक बीमा),
स्वास्थ्य सेवा, हरियाणा सरकार,
चण्डीगढ़”।

[सं. यू.-16012/16/83-एच०आई]

New Delhi, the 24th August, 1984

S.O. 2915.—Whereas the State Government of Haryana has, in pursuance of clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Dr. O. P. Dehar, Assistant Director (S. I.), Health Services, Government of Haryana, Chandigarh to represent that State on the Medical Benefit Council in place of Dr. A. C. Phogat;

Now, therefore, in pursuance of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S. O. 3329, dated 19th November, 1981, namely:—

In the said notification, under the heading “(Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10)” for the entry against item 8, the following entry shall be substituted, namely:—

“Dr. O. P. Dehar, Assistant Director, (S. I.), Health Services, Government of Haryana, Chandigarh.”

[No. U-16012/16/83-H I]

का. आ. 2916.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 5 के साथ पठित पैरा 4 के उप पैरा (1) के अनुसरण में, भी सम्भूनाथ टिबरेवाल को उड़ीसा राज्य के लिए क्षेत्रीय समिति का सदस्य नियुक्त करती है और भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii), तारीख 2 जुलाई, 1983 में प्रकाशित, भारत सरकार के श्रम और पुनर्वास मंत्रालय (श्रम विभाग) की अधिसूचना सं. का. आ. 2790, तारीख 14 जून, 1983 में निम्नलिखित संशोधन करती है, अर्थात्:

उक्त अधिसूचना में, श्रम सं. 6 के सामने, विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

श्री सम्भूनाथ टिबरेवाल
सचिव,
बिरामी त्रापुर मर्चेंट्स एसोसिएशन
लिरामी त्रापुर,
जिला सुन्दरगढ़।”

[वा- 20062/4/78 पी. एफ-2]

S.O. 2916.—In pursuance of sub paragraph (1) of paragraph 4 read with paragraph 5 of the Employees' Provident Fund Scheme, 1952, the Central Government hereby appoints Shri Sambhunath Tibrewal as member of the Regional Committee for the State of Orissa and makes the following amendment in the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour) No. S.O. 2790, dated the 14th June 1983, published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 2nd July, 1983, namely:—

In the said notification, against serial No. 6, the following entry shall be substituted namely:—

“Shri Sambhunath Tibrewal,
Secretary,
Biramī Trapur Merchant's Association,
Biramī Trapur,
District Sundargarh.”

[V-20012/4/78-PF-II]

का. आ. 2917.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 16 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र, मणिपुर, मेघालय और त्रिपुरा राज्यों तथा पांडिचरी संघ राज्य क्षेत्र प्रशासन के अधीन सभी विभागीय उपक्रमों को, जिनके कर्मचारी सरकारी नियमों के अधीन अनुज्ञेय भविष्य निधि और कुटुम्ब पेंशन के फायदे प्राप्त कर रहे हैं, एक वर्ग के रूप में उक्त अधिनियम के अपबन्धों के प्रवर्तन से 1 सितम्बर, 1984 से तीन वर्ष की अवधि के लिए छुट देती है।

[सं. एस-35025/6/83 पी. एफ.-2]

S.O. 2917.—In exercise of the powers conferred by sub-section (2) of section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby exempts all departmental undertakings under the State Government of Maharashtra, Manipur, Meghalaya, Tripura and the Union Territory Administration of Pondicherry whose employees are in receipt of provident fund and pension benefits as admissible under the Government rules, as a class, from the operation of the provisions of the said Act for a period of three years with effect from the 1st September, 1984.

[No. S-35025/6/83-PF-II]

का. आ. 2918.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 5 के साथ पठित पैरा 4 के उपपैरा (1) के अनुसरण में और भारत सरकार के श्रम मंत्रालय की अधिसूचना सं. का. आ. 670 (अ) तारीख 27 अगस्त, 1981 को अधिकांश करते हुए, पश्चिमी बंगाल राज्य के लिए प्रादेशिक समिति स्थापित करती है, जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्:—

अध्यक्ष :

1. सचिव,
पश्चिमी बंगाल सरकार,
श्रम विभाग, कलकत्ता

केन्द्रीय सरकार द्वारा नियुक्त

सदस्य :

2. श्रम आयुक्त,
पश्चिमी बंगाल सरकार,
कलकत्ता।
3. संयुक्त सचिव
पश्चिमी बंगाल सरकार,
श्रम विभाग,
कलकत्ता।

राज्य सरकार की सिफारिश पर केन्द्रीय सरकार द्वारा नियुक्त दो व्यक्ति

4. श्री बी. एन. भट्टाचार्यजी,
मैसर्स बी.ई. पम्पस प्राइवेट लि.
4, बी. बी. डी. बाग ईस्ट
बंगाल नेशनल चैम्बर आफ
कामर्स एंड इन्डस्ट्री
5. श्री एस. एन. सेनगुप्ता,
उप श्रम सलाहकार,
बंगाल चैम्बर आफ कामर्स
एंड इन्डस्ट्री, रायल एक्सचेंज,
नं. 6, नेताजी सुभाष रोड,
कलकत्ता-700001
6. श्री डी. पी. चक्रवर्ती,
श्री अन्नापूर्णा काटन मिल्स
एंड इन्डस्ट्रीज लि.,
पी. 10, न्यू हावड़ा ब्रिज
आप्रोच रोड, कलकत्ता-700001
(इंडियन चैम्बर आफ कामर्स)
7. श्री काली घोष,
मार्फत वेस्ट बंगाल स्टेट कमेटी
आफ सेक्टर आफ इंडियन ट्रेड
यूनियनस 53,
आचार्य जगदीश चन्द्र बोस रोड
कलकत्ता-700016
(सेक्टर आफ इंडियन ट्रेड
यूनियनस)
8. श्री ए. के. चटर्जी
ज चरल सेक्टररी,
हैवी इंजीनियरिंग वर्क्स यूनियन
बी-2-3 79, विश्वकर्मा नगर,
दुर्गापुर-713210
(इंडियन नेशनल ट्रेड यूनियन कांग्रेस)
9. श्री निखिल दास,
249, बिपिन बिहारी गांगुली
स्ट्रीट, कलकत्ता-700012
(यूनाइटेड ट्रेडस यूनियन कांग्रेस)
10. डा. आई. पी. पं. द्वार
प्रबन्ध निदेशक,
कलकत्ता सिल्क मैन्युफैक्चरिंग
कम्पनी लि.,
"कामर्शियल हाउस"
135-ए, बिपलाबी राया बिहारी
बासु रोड, कलकत्ता।
11. श्री एम. घोष, सेक्टररी,
बंगाल चैम्बर आफ कामर्स
एंड इन्डस्ट्री, रायल एक्सचेंज,
6, नेताजी सुभाष रोड,
कलकत्ता-700001
12. श्री समर चक्रवर्ती, सेक्टररी,
इंटक बंगाल काज, 177 बी,
आचार्य जगदीश बोस रोड,
कलकत्ता-700014
13. श्री फाटीक घोष, सेक्टररी,
आल इंडिया कमेटी यू. टी. यू. सी.
(एल. एस.) 48, लेनिन सरानी
(प्रथम मंजिल)
कलकत्ता-700013

राज्य में नियोजक
संगठनों के परामर्श से
केन्द्रीय सरकार द्वारा
नियुक्त नियोजकों
के प्रतिनिधि

राज्य में कर्म-
चारी संगठनों
के परामर्श से
केन्द्रीय सरकार
द्वारा नियुक्त
कर्मचारियों
के प्रतिनिधि

कर्मचारी भविष्य
निधि केन्द्रीय
न्यासी बोर्ड के
सदस्य जो, आम
तौर पर पश्चिम
बंगाल के
निवासी हैं।

S.O. 2918.—In pursuance of sub-paragraph (1) of Para-graph 4 read with paragraph 5 of the Employees' Provident Funds Scheme, 1952, and in supersession of the notification of the Government of India in the late Ministry of Labour, No. S. O. 670 (E), dated the 27th August 1981, the Central Government hereby sets up a Regional Committee for the State of West Bengal consisting of the following persons, namely:—

CHAIRMAN:

The Secretary to the
Government of West Bengal,
Department of Labour,
CALCUTTA.

Appointed by the Central
Government.

MEMBERS:

2. Labour Commissioner,
Government of West Bengal,
CALCUTTA.

Two persons appointed
by the Central Govern-
ment on the recommen-
dation of the State
Government.

3. Joint Secretary,
Government of West Bengal,
Labour Department,
CALCUTTA.

4. Shri B.N. Bhattacharjee,
M/S B.E. Pumps Pvt. Ltd.,
4, B.B.D. Bag East,
CALCUTTA-700 001.

(Bengal National Chamber of
Commerce and Industry).

5. Shri S. N. Sengupta,
Deputy Labour Adviser,
Bengal Chamber of Commerce
and Industry, Royal Exchange,
No. 6, Netaji Subhas Road,
CALCUTTA-700 001.

Representatives of the
Employers appointed by
the Central Government
in consultation with the
organisations of employ-
ers in the State.

6. Shri D. P. Chakravarti,
Shree Annapurna Cotton Mills
and Industries Ltd.,
P-10, New Howrah Bridge
Approach Road, CALCUTTA
700 001. (Indian Chamber of
Commerce).

7. Shri Kati Ghosh,
C/o West Bengal State
Committee of Central of
Indian Trade Unions, 53,
Acharya Jagdish Chandra
Bose Road, CALCUTTA-
700016. (Centre of Indian
Trade Unions).

8. Shri A. K. Chattaraj,
General Secretary,
Heavy Engineering Workers
Union, B2-379, Vishwakarma
Nagar, Durgapur-713 210.
(Indian National Trade
Union Congress).

Representatives of em-
ployees appointed by
the Central Government
in consultation with the
organisations of employ-
ees in the State.

9. Shri Nikhil Das,
249, Bepin Behari Ganguly
Street CALCUTTA-700 012.
(United Trades Union
Congress).

10. Dr. J. P. Poddar,
Managing Director,
Calcutta Silk Mfg. Co. Ltd.,
"Commercial House"
135-A, Biplabi Rashbehari
Basu Road, CALCUTTA-
700001.

11. Shri M. Ghose, Secretary,
Bengal Chamber of Commerce
& Industry, Royal Exchange,
6, Netaji Subhas Road,
CALCUTTA-700 001.

Members of the Central
Board of Trustees,
Employees' Provident
Fund, ordinarily resi-
dents of West Bengal.

12. Shri Samar Chakravarty,
Secretary, INTUC Bengal
Branch, 177/B, Acharya
Jagdish Bose Road,
CALCUTTA-7 700 014.

13. Shri Fatik Ghosh,
Secretary, All India
Committee, (UTUC (LS), 48,
Lenin Sarani (1st Floor),
CALCUTTA- 700 013.

का. आ. 2919.—तमिल नाडु राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री एस. नरसिम्हन के स्थान पर श्री एच. बी. एन. सेटो, आयुक्त व सचिव, तमिलनाडु को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नाम निर्दिष्ट किया है;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 850 (अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "[राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नाम निर्दिष्ट]" शीर्षक के नीचे मद 24 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री एच. बी. एन. सेटो, आयुक्त तथा सचिव, तमिल नाडु सरकार, श्रम विभाग, मद्रास, (तमिल नाडु)"

[संख्या यू.-16012/3/84-एच. आई.]

ए. के. भट्टारai, अवर सचिव

S.O. 2919.—Whereas the State Government of Tamil Nadu has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri H. B. N. Shetty, Commissioner and Secretary to the Government of Tamil Nadu to represent that State on the Employees' State Insurance Corporation, in place of Shri S. Narasimhan;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading "[Nominated by the State Governments under Clause (d) of section 4]", for the entry against Serial Number 24, the following entry shall be substituted, namely :—

"Shri H. B. N. Shetty, Commissioner and Secretary to the Government of Tamil Nadu, Labour Department, Madras."

[No. U-16012/3084-H.I.]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 22 अगस्त, 1984

का. आ. 2920.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (4) के उपबन्धों के अनुसरण में भारत सरकार के श्रम और पुनर्वास मंत्रालय श्रम विभाग की अधिसूचना संख्या का. आ. 468 दिनांक 25 जनवरी, 1984 द्वारा इंडिया गवर्नमेंट मिन्ट, बम्बई को उक्त अधिनियम के प्रयोजनों के लिए 24 फरवरी, 1984 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (4) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 24 अगस्त, 1984 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. संख्या एस-11017/15/81-डी-1(ए)]

New Delhi, the 22nd August, 1984

S.O. 2920.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour & Rehabilitation S. O. No. 468 dated the 25th January, 1984 the India Government Mint, Bombay to be a public utility service for the purposes of the said Act, for a period of six months, from the 24th February, 1984.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 24th August, 1984.

[No. S-11017/15/81-D.I(A)]

नई दिल्ली, 23 अगस्त, 1984

का. आ. 2921.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम और पुनर्वास मंत्रालय, श्रम विभाग की अधिसूचना संख्या का. आ. 782 दिनांक 25 फरवरी, 1984 द्वारा भारत सरकार टंकसाल, कलकत्ता को उक्त अधिनियम के प्रयोजनों के लिए 28 फरवरी, 1984 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 28 अगस्त, 1984 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस.-11017/3/80-डी. 1-(ए)]

New Delhi, the 23rd August, 1984

S.O. 2921.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of

1947), declared by the notification of the Government of India in the Ministry of Labour and Rehabilitation, Department of Labour S. O. No. 782 dated the 25th February, 1984 the India Government Mint, Calcutta to be a public utility service for the purposes of the said Act, for a period of six months, from the 28th February, 1984;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 28th August, 1984.

[No. S-11017/3/80-D.I(A)]

नई दिल्ली, 27 अगस्त, 1984

का. आ. 2922.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम और पुनर्वास मंत्रालय, श्रम विभाग की अधिसूचना संख्या का. आ. 660 दिनांक 13 फरवरी, 1984 द्वारा मैग्नेसाइट खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 7 मार्च, 1984 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग उक्त अधिनियम के प्रयोजनों के लिए 7 सितम्बर, 1984 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. एस.-11017/3/81 डी-1 (ए)]

New Delhi, the 27th August, 1984

S.O. 2922.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour & Rehabilitation S. O. No. 660 dated the 13th February, 1984 the Magnesite Mining Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 7th March, 1984;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 7th September, 1984.

[No. S-11017/3/81-D. I(A)]

का. आ. 2923.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम और पुनर्वास मंत्रालय, श्रम विभाग की अधिसूचना संख्या का. आ. 1217 दिनांक 31 मार्च, 1984 द्वारा ताँबा खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 1, अप्रैल, 1984 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 1 अक्टूबर, 1984 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. एस.-11017/5/81 डी 1 (ए)]

श. ह. सु. अध्यक्ष, अवर सचिव

S.O. 2923.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour and Rehabilitation S. O. No. 1277 dated the 31st March, 1984 the Copper Mining Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 1st April, 1984;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 1st October, 1984.

[No. S-11017/5/81-D.I(A)]

S.H.S. IYER, Under Secy.

New Delhi, the 23rd August, 1984

S.O. 2924.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. II, Dhanbad in the industrial dispute between the employers in relation to the management of Punjab National Bank, Ranchi and their workmen, which was received by the Central Government on the 14th August, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri J. N. Sinha, Presiding Officer.

Reference No. 46 of 1983

In the matter of industrial dispute under S.10(1)(d) of the I.D. Act 1947.

PARTIES :

Employers in relation to the management of Punjab National Bank, and their workmen.

APPEARANCES :

On behalf of the Employers—Shri D. K. Sahay Personnel Officer.

On behalf of the workmen—Shri C. L. Bhatadwaj, General Secretary, All India Punjab National Bank Employees Association.

STATE : Bihar INDUSTRY : Banking

Dhanbad, Dated, 10th August, 1984

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-12012/164/82-D II(A) dated the 11th May, 1983.

SCHEDULE

“Whether the action of the management of Punjab National Bank, Ranchi in relation to their Chand Branch in terminating the services of Shri Shambhu Nath Sinha, Peon with effect from 5-6-1979 and not re-employing him, is justified? If not, to what relief is the workmen concerned entitled?”

On receipt of the Order of Reference notices were duly served on the parties. Both the parties appeared and prayed for adjournment. Accordingly their prayer was allowed and this case was fixed on 8-3-84. On that date both the parties appeared and submitted before me that the case is under process of settlement so the case be fixed on some other date and accordingly their prayer was allowed. Ultimately on 6-8-84 both the parties appeared and submitted before me a memorandum of settlement. I find that the terms of settlement are fair and proper and beneficial to both the parties and I accept the same. Accordingly I pass an Award in terms of the Memorandum of settlement which do form part of the Award as Annexure-A

Sd/-

I. N. SINHA, Presiding Officer
[No. L-12012/164/82-D II(A)/D IV(A)]

ANNEXURE 'A'

BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

Reference No. 46 of 1983

IN THE MATTER OF

Punjab National Bank, Chand through the Regional Manager Punjab National Bank, Ranchi, Region, Ranchi, Radhay Shyam Garad Road, Old Commissioner's Compound, Ranchi.

Versus

EMPLOYERS

Its workmen as represented by the All India Punjab National Bank Employees Association, 898, Nai Sarak, Chandni Chowk, Delhi-6, Case of Shri Sambhu Nath Sinha, Temporary Peon, BO : Chand.

OPP PARTY

Humble Submission on Behalf of the Bank :

Further to our submission dated 28-4-84, we have to submit as under :—

1. That in terms of Settlement dated 30-3-84, regarding appointment of temporary workmen, who have worked in the subordinate cadre arrived at between 701 GI/84—7.

the management of Punjab National Bank and All India Punjab National Bank Employees Federation, the concerned workmen applied to the Bank on 18-5-84 to be considered for appointment in the services of the bank.

2. That the concerned workman in his application dated 9-5-84 has declared that he shall be bound by the terms and conditions in the settlement under reference and given an undertaking that he shall have no claim with the bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary services rendered by him.
3. That the concerned workman was interviewed on 31-7-84 and has been approved for appointment as probationer on the starting salary applicable to subordinate cadre.
4. That in terms of the aforesaid settlement, the workman will be issued appointment letter only after he agrees to passing of a “No Dispute Award” by the Hon'ble Tribunal.

Prayer.

In view of the aforesaid submission, it is humbly prayed that the Hon'ble Tribunal may be pleased to pass “No Dispute Award” in the matter.

For and on behalf of
Punjab National Bank

Sd/-
(Illegible)

Regional Manager

DATE : 3-8-1984.

Place : Ranchi.

S.O. 2925.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Ranchi in the industrial dispute between the employers in relation to the Saraswat Co-operative Bank Limited, Administrative Office, Bombay and their workmen, which was received by the Central Government on the 17th August, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Dr. Justice R. D. Tulpale Esq., Presiding Officer.

Reference No. CGIT 13 of 1983

PARTIES :

Employers in relation to Saraswat Co-op. Bank Ltd., Bombay-7.

AND

Workmen

APPEARANCES :

For the employer—Mr. M. N. Bhatka, Advocate.
Mr. P. N. Shastri, Advocate.

For the Bank Karmachari Kruti Samitee—Mr. A. P. Kulkarni, Advocate.

STATE : Maharashtra

INDUSTRY : Banking

Bombay, dated the 18th day of June, 1984

ORAL AWARD

This is a reference under Section 10, sub section 1(d) of the Industrial Disputes Act. The order of reference No. L-12011(5)/83D, IV(A) dated 11th November 1983 is worded in the following words :—

SCHEDULE

“Whether the action of the management of Saraswat Co-operative Bank Limited, Central Administrative

Office, Bombay, in promoting Shri A. G. Nadkarni, Clerk to the post of Sub-Accountant with effect from 1st June 1982, overlooking many other workmen who secured more marks than Shri A. G. Nadkarni in the written test held on 15-3-81 is justified? If not, to what relief are the workmen concerned entitled?"

2. The workmen represented by the union known as Bank Karmachari Kruti Samitee (hereinafter referred to as "the Samitee") filed its statement of claim which raises numerous questions which are not relevant to the terms of reference. Its prayers also are such which cannot be granted or considered in view of the terms of the reference. It referred to the settlement of 1977 and 1980 which set out the promotional and recruitment policy in respect of various cadres which is annexed to those settlements as schedule 'E'.

3. Pursuant to this settlement of 1980 it appears that the Bank decided to hold an examination which was to be conducted by the National Institute of Bank Management (hereinafter referred to as "the NIBM") on the 15th March, 1981. Some 167 workmen took that examination and the marks obtained by them were declared. For the persons who had appeared for that written examination there were a gradation list of them which was published on the notice board. One of the terms of this settlement to which I shall refer later shows that the eligibility for promotion to the post of sub-accountant, which is the post in question in the present case, would only be provided 40 per cent of the marks in the written test are obtained by the candidate. Forty per cent out of the 50 marks which were allotted by the NIBM would require 20 marks to be obtained by the persons concerned.

4. The Samitees had then stated that some questions were out of the syllabus and that a contention was raised by one Mr. Kulkarni who was informed by the Bank that those questions were not examined for every workman and that there was a uniformity in the gradation. As I pointed out the Samitee has raised various questions which are not relevant such as marks should not have been given in decimals, and that since certain questions were out of the syllabus those who received less than 20 and 40 per cent of the reduced number of marks would be automatically and could have been automatically declared to have been passed, ignoring what was contended and pointed out by the Bank that so far as those questions were concerned they were not considered and marks granted for the remaining questions. It has also referred to certain things which took place earlier with which once again we are not concerned of promotion of persons had obtained much less marks than the qualifying marks.

5. It then referred to the promotion of Nadkarni said to have been effected on the 31st May, 1982 and that Nadkarni was one of those who was declared as failed amongst the 63 other candidates. He had acquired 14.94 marks out of a total of 50 while the qualifying marks would be 20. Therefore, the contention is that the Bank must be deemed to have relaxed this condition of eligibility for promotion and, therefore, everyone who was above Nadkarni should be deemed to have been promoted. It then also erroneously placed reliance upon a clause in the settlement relating to conditions which are not referred to otherwise expressly altered continuing to govern the workmen; once again ignoring and forgetting that the settlement itself provided for a condition that 40 per cent of the marks must be obtained for acquiring eligibility for promotion. The Samitee then also charged the Bank with "favouritism or partiality to one set of workmen regardless of merits". It then prayed that the 35 workmen whose list was given as exhibit 'A' presumably of those who had obtained marks more than Nadkarni should be ordered to be promoted by the Bank and that they should be paid all "benefits and/or arrears thereof with effect from 1st June, 1982." The second prayer is similarly outside the pale of the reference requesting the Tribunal "to set aside and scan the statement of marks published by the National Institute of Bank Management", with regard to the examination of the 15th March, 1981. Lastly it also wanted this Tribunal to direct re-checking and/or revaluation of the test papers. It will thus be seen that the prayers are contradictory with each other

beyond the terms of the reference, and do not in terms of the reference specify what relief, in the establishment of the premise that Nadkarni's promotion was not justified, the concerned workmen would be entitled to.

6. The Bank has similar to the statement of claim in its written statement refuted all these contentions and pointed out that they are irrelevant and they cannot be considered and are opposed to the very terms of settlement and went on to say that the Samitee represents a microscopic minority of workmen and is not entitled to raise this industrial dispute. According to it, only a handful of workmen are supporting the Samitee and that so far as Nadkarni's promotion was concerned it was challenged only by one Kulkarni and none others. The Bank had recognised one union viz. Saraswat Co-operative Bank Employees' Union (hereinafter referred to as "the Union") as the bargaining agent and the majority union. It also alleged that Nadkarni was promoted on the 1st June 1982, after the list made pursuant to the examination held in March 1981 "had expired on 20th May, 1982" (see para 6 of the written statement). That fresh list would have been required to be prepared and fresh process of examination held as the list was valid only upto 31st May 1982, and hence Nadkarni's promotion seems to be contended is irrespective and has no reference to this list made on the 1st June. It clearly alleged that it "promoted Shri A. G. Nadkarni to the said post on 1st June, 1982 after consulting and with the consent of the said majority Union". According to it, Nadkarni's promotion had no "relation with the test held for the posts of sub-accountant in May, 1981".

7. Strangely the Bank has also submitted that there was no obligation upon it to carry out "the joint work standard survey" as I shall presently point out, provided for in the settlement. With regard to the questions out of the syllabus it affirmed that those questions which were out of the syllabus were not considered "for any candidate and thus uniformity was maintained". It, therefore, refuted the contention of the Samitee that those who had received less marks than 20 should be deemed to be promoted considering 40 per cent of the marks for which the candidate were tested. Nadkarni's promotion, it was claimed, was firstly on account of his exceptional performance as officer-in-charge of the Mobile Branch and secondly because there was no settlement in existence, the 1980 settlement having been terminated by the majority union on 31st May, 1982; thirdly Nadkarni was promoted after consulting and with the consent of the majority Union and that fourthly the test results were valid only upto 31st May, 1982.

8. The dispute lies in this case in a narrow compass and can be very easily disposed of. If I may say so no attempt to justify the promotion of Nadkarni was tried to be made or given by the learned counsel on behalf of the Bank. I may first refer to the settlement of the year 1980 as that is the settlement which was in force and pursuant to which the examination was held. There is no substance in the argument and contention advanced by the Samitee that the 1977 settlement had any application to the facts of the present case. For that reliance was placed upon clause 19 of the settlement which itself says that all those conditions of service in force at that time and "not expressly altered" by the settlement shall continue to bind. I shall presently point out the 1980 settlement alters and expressly provides for these conditions.

9. The promotional policy as laid down in para 15 says that promotions and recruitments shall be in accordance with the provisions of Schedule 'B'. So far as Schedule 'E' is concerned it opens with the statement that "the bank and the union shall have a joint work standard survey" of all the branches and shall jointly decide before 30th June of every year, the total number of posts created due to retirement, resignation, and expansion of banking business, etc." In other words a joint work standard survey was to be carried out and the number of posts likely to arise and available on various accounts were to be ascertained and fixed so that promotions could be made to those posts may be amongst the persons who had become eligible.

10. The sub-accountants are at serial No. 5. We are concerned with internal promotion which is at 60 per cent

of the total number of vacancies. Neither the Bank nor the Samitee in the present case has placed before the Tribunal what was the result of the joint work standard survey and how many vacancies were contemplated or likely to arise. Since that would raise a different question as to the percentage external and internal promotion I would not go into that but assume that for purposes of internal promotion by the Bank 99 vacancies had become available. To a specific question the learned counsel appearing for the Bank as to the number of vacancies and as to whether after 99 vacancies which were allotted to those who had passed in the written test whether any vacancy was left over the learned counsel was unable to answer that question. As I pointed out the Bank has also not provided and produced any material to show as to how many more vacancies if at all did and could have arisen.

11 The promotional policy is also governed by certain general terms and rules which provide in item No. 9 for the preparation of a merit list of all successful candidates shall be prepared. The vacant posts shall be filled immediately. If there are more successful candidates than the number of posts, a waiting list of such candidates shall be prepared in the same order as in the merit list. This waiting list shall be valid for one year. It will be seen that it is wrong, therefore, to say that with the list of candidates who had acquired the requisite number of marks and with regard to the number of vacancies that such a list got exhausted or was valid only for one year. What is valid for one year is a waiting list and not the list of persons who are declared successful. That is why the material with regard to the number of vacancies contemplated or likely to arise as a result of the joint work standard survey was relevant and necessary. For reasons best known to it the Samitee did not call upon the Bank to produce that. Nor did the Bank enlighten the Tribunal as to the number of vacancies due to be filled in by internal promotion which is 60 per cent of the total number of vacancies and as to how if there was no waiting list the list of successful candidates got automatically exhausted on 30th May. The provision for internal promotion itself is sub-clause (c) of clause (5) provides that the minimum marks "for passing to written examination is 40 per cent to qualify for promotion". In view of this specific provision and express agreement it is not possible to say, whatever may be the terms prevailing or practice prior to 1980 could be invoked or that those who acquired less than 40 per cent marks in the written test could be deemed to be entitled to promotion. Indeed even if the Bank were to do so it would clearly in opposition of the settlement and in the teeth of express contrary terms. I am referring to this only because an attempt was sought to be made during the course of the arguments on behalf of the Samitee that because of the Bank lowering the standards and going by these terms those who had obtained marks more than Nadkarni should be deemed to have passed should be promoted and should be deemed to have been promoted.

12 There is no dispute that Nadkarni who is at serial No. 3 in the list obtained less than 40 per cent marks. In fact he had obtained only 14.94 marks. A list of marks secured by all the candidates who took the test '62 in number is produced at serial No. 33 of the list dated 26th April 1984. It does appear that during the conciliation proceeding the controversy which was raised was wider and it was also sought that those persons who had obtained marks more than Nadkarni should be promoted. In view however of the frank statement on behalf of the Bank before the Tribunal that the promotion of Nadkarni could not be justified I do not think it is necessary at this stage and in view of the terms of the reference to go into these wider aspects of the controversy.

13 Mr. Bhatkal who appeared for the Bank sought to canvass that the promotion of Nadkarni was bona fide and that Nadkarni was officiating for a number of years before he was actually appointed as a sub-accountant. That his work was quite satisfactory and the list having come to an end on account of the termination by the majority union of the 1980 settlement and one year having elapsed and the list having exhausted the Bank was free and could have appointed Nadkarni.

14 It appears that the 1980 settlement came to be termi-

nated by letter dated 31st May 1982 by the union as the 1983 settlement will go to show. The new settlement was arrived at on 24th March 1983 and it operates retrospectively also. The settlement was to run for a period upto 30th June 1983 and was retrospective from 1st July 1982. Unless expressly ruled out the benefits were to operate retrospectively. Apart from that the mere termination of a settlement does not take away the rights under the settlement and they continue to govern the workmen as well as the employer until a new settlement takes its place or an award is passed and for a period of two months thereafter. I may also point out that the terms of the 1980 settlement so far as promotions policy is concerned are reproduced, incorporated and are exactly identical in the 1983 settlement also.

15 As I pointed out the argument that the list gets exhausted after a period of one year is not entitled to acceptance. What gets exhausted is the waiting list and it is not the case of the Bank in this case that there was any such waiting list. Besides, the joint work standard survey which was to be completed every year before the 30th of June for the year 1982 was not taken up. That clearly indicate that in 1982-83 the Bank did not anticipate any further vacancies of sub-accountants beyond the 99+1 which had been filled.

16 The Bank is also not right and is guilty of suppression and attempting to gloss on the circumstance that the actual appointment order of Nadkarni is dated 2-6-1982. The appointment order of itself clearly says that the management "in its meeting held on 13th May 1982 has promoted" Nadkarni. Therefore, it is not right to say that Nadkarni's promotion came on the 2nd June 1982. It was only a communication which was sent to him on the 2nd June 1982 about his promotion, the decision about which took place on the 13th May 1982. Looking to the list of promotions which was produced by the Bank at page 4 and which was put up on the notice board goes to show that the first set of promotions of 58 eligible candidates came to be made on the 1st June 1981. Then a long gap has passed and in the next batch of promotions dated 13th May 1982 another 28 persons were promoted. It is significant that though decision about Nadkarni's promotion was taken along with this batch on the 13th May 1982 his name does not find a place in this list submitted to the Tribunal. Then another 14 persons were promoted on the 28th May 1982. That is a full fortnight thereafter. The contention, therefore, that the decision to promote Nadkarni was taken only after the list was completed and exhausted is clearly hollow. Nadkarni came to be promoted even before the list was exhausted and the Bank apparently has no justifying reason or no reason whatsoever, for making this out of turn favour in total disregard to all other workmen and with the express terms of the settlement and all other reasons or fairness. It has therefore, to be held that the promotion of Nadkarni dated 2-6-1982 actually promoted on the 13th May 1982 was totally unjustified and in total disregard of the existing valid settlement which was then in force to the prejudice and detriment of the other workmen. In the circumstance that the Bank has not produced any material to show what were the number of vacancies which were expected in the joint work standard survey carried out in June, 1980 it is not possible to say that Nadkarni had to be appointed in a vacancy which was anticipated or which was not known to be available in the work standard survey. Indeed it is not possible to imagine or think that the vacancy to which Nadkarni was appointed was not or could not have been in the contemplation of the Bank. The Bank has not produced any evidence to show that a new vacancy had suddenly arisen. Upon the statement made at the Bar that Nadkarni was officiating as a sub-accountant for a period of five/six years before he was regularly promoted clearly goes to show that the vacancy must have been in the contemplation and must have figured in the joint work standard survey. The Bank therefore, is also guilty of suppressing material in the form of an anticipated vacancy which could have necessitated on account of certain exigencies or otherwise a departure by the Bank from the terms of the settlement.

17 The only attempt it has made to justify is that there has not been a protest from the other candidates who had failed and who had secured less number of marks or more number of marks than Nadkarni excepting one. Indeed the second contention which was raised on behalf of the Bank that this is not a dispute between workmen as such but by a single individual is based upon this contention. I do not

think that there is any substance in this contention for the simple reason that merely because a number of workmen who have been overlooked and suppressed in preference to Nadkarni did not protest against this partiality and favoured treatment given to Nadkarni, it follows that workmen as such are not interested in it. There may be a number of reasons one of which may be that the workmen are afraid of raising a protest against their employer. But if a protest is raised by some and the evidence produced by the Bank itself goes to show that even according to it the Samitee had membership of about 94 workmen, it would be a dispute collectively between the workmen with regard to the mode of recruitment in which the workmen were intimately concerned. The departure by the Bank from the solemn terms of the settlement would clearly raise a dispute between all workmen and the employer. If the Union has for its own reasons which it is not possible to know, nor is it possible to speculate not opposed or protested against the appointment of Nadkarni that would not mean that this cannot be, therefore, deemed to be a dispute between the workmen and their employer if a sufficient number and then union espouses the cause. It may be that the majority union has failed to stand by in this case its members and workmen. But, that is hardly relevant.

18 The other ground raised in the written statement that the appointment of Nadkarni was made in consultation with the majority union and its consent has not been substantiated. To a categorical question Mr. Shastri, the learned counsel for the Bank, said that there was no evidence to show that the union had been consulted or had consented to the appointment of Nadkarni. Their absence of protest according to Mr. Shastri, amounts to consent. I do not think that could be so for if the union has consented to the appointment of Nadkarni that must have followed the raising of the dispute and the dispute then would not have been referred. It is important to note that such is not the contention much less substantiated before me. Besides the 1983 settlement makes no reference to it and reiterates the promotional policy as was in 1980. In the circumstances the four reasons or grounds set out by the Bank pleading justification for the appointment of Nadkarni must be rejected.

19 That brings me to the second question. Referring once again to the terms of reference the second part of the reference says that to what relief are the workmen concerned entitled? In the absence anything to show that there were other vacancies and in the absence of any agreement between the employers and the workmen to give a go by to the said term of the settlement or release it waive it is not within the power of anybody and particularly when the other union said to be a majority union to do so. This is more so since the 1983 settlement reincorporates the terms of 1980 settlement regarding promotion. The requirement of 40 per cent of qualifying marks in the written examination cannot be done away with. The Samitee wants an order of promotion or deemed promotion and benefits to the workmen list of whom it annexed to its statement who had obtained more marks than Nadkarni. According to it they are "the concerned workmen". I do not think that is correct. The expression "concerned workmen" is wider in import than only the overlooked workmen who had obtained more marks than Nadkarni. If the terms of reference intended relief to such workmen the words would have been "those workmen or "those concerned workmen" and not only concerned workmen. The expression "concerned workmen" would take in its embrace all those who are concerned in the dispute namely all workmen who are concerned with the promotional policy, adherence to it and in protesting against indiscriminate, imprincipled promotion. All workmen interested in protecting and safeguarding their promotional rights would be "concerned workmen" and not only those who were overlooked and had "secured more marks than Nadkarni". The gradation list therefore has to be taken as it is. I may mention that the NIEE in its letter to the Bank has stated that the marks obtained by the examinees/candidates were equated to 50 marks obtained having been considered as out of 47 and then marked-up or weighted to 50. The letter dated 23rd April 1984 makes it abundantly clear that there has been an equal treatment given to all the examinees in disregarding the questions which were out of syllabus and revaluating their marks out of 50. In the circumstances the marks obtained by Nadkarni as well as others have been revised and weighted given to them.

20 As I pointed out the settlement does not permit appointment of any person who obtained less than 40 per cent of marks in the written test to be promoted to the post of a sub accountant including Nadkarni. Therefore, the workmen who obtained less number of marks cannot be granted any relief. At the same time it must be held and declared that Nadkarni's promotion was illegal and that he must be deemed to have not been promoted for any purpose whatsoever on the 13th May 1982 or 1st June 1982. As regards costs I think the Bank had been far from fair and right in its dealing in this case. It must therefore, pay costs. One cannot imagine a vacancy continuing and officiating appointment made for years. It did not appoint anyone of the 50 or the first 58 to the post which was held in officiating capacity by Nadkarni. An attempt to favour Nadkarni is clearly discernible at the cost of others. I therefore feel that the Bank must be saddled with special costs and not the ordinary costs in this case. I think in the circumstances the Bank should pay quantified costs of Rs. 2,000 to the Samitee.

21 Award accordingly

R. D. TULPUL, Presiding Officer

[No. L 12011/5/83 D IV (A)]

S. S. PRASHIR, Desk Officer

New Delhi, the 25th August, 1984

S.O. 2926—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board and their workmen which was received by the Central Government on the 17th August, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CHANDIGARH

Case No. 154/83 (New Delhi), 46/83 (Chandigarh)

PARTIES

Employers in relation to the Management of Bhakra Beas Management Board, Chandigarh

AND

134 Workmen Shri Mohan Chand and Others

APPEARANCES

For the Employers—Shri C. L. Garg

For the Workmen—None

Activity—Bhakra Beas Management Board, State—Punjab

AWARD

Dated, the 14th of August, 1984

The Central Government Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 vide their order No. L 12011/20/81 D II(B) dated the 30th of April, 1982 read with S.O. No. 11025/83 dated the 8th of June 1983 referred the following dispute to this Tribunal for adjudication:

"Whether the demand of the workmen of the Bhakra Beas Management Board that Shri Mohan Chand and 34 other workmen as detailed in Annexure, who have rendered service from 2 to 25 years should be made permanent is justified? If so to what relief the workmen are entitled?"

2 Beas Sutlej Link Workers Union Sundernagar had raised a demand seeking confirmation of Shri Mohan Chand and 34 other workmen on various assignments against which they were working for different periods ranging from 2 to 25 years. The Management was found unresponsive despite the intervention of the A.I.C. (C) during the Conciliation process. In pursuance of the instant reference by the Appropriate Government.

3 However during the pendency of the proceedings before me there was a change in the office bearers of the Union espousing the cause of the workmen and the new Office-holders nominated the Tribunal that they had re-opened a dialogue with the Management to settle the issue in a larger context. To be precise, it was represented that the instant reference had a limited scope whereas their effort was to seek redress of permanent status for a large number of workers including those involved in this dispute. Thus for the generation of a healthy and congenial atmosphere it was desired to withdraw the instant reference lest its bitterness should spoil the chances of an amicable settlement covering higher stakes.

4 All the same a notice was issued to the individual workmen involved in the case so as to enable them to project their side of the version but none turned up and the reason can be easily visualized against the aforesaid backdrop.

5 Hence I drop the proceedings as redundant and return my Award accordingly.

Chandigarh 14-8 1984 I P VASISHTH, Presiding Officer
[No L 42011(20)/81 D II(B)]

New Delhi, the 27th August, 1984

SO 2927—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Government of India Press, Mayapuri Ring Road New Delhi, Government of India Press, Minto Road, New Delhi, Government of India Press, Faridabad and their workmen, which was received by the Central Government on the 16th August, 1984

BEFORE SHRI O. P. SINGIA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

IDs 14/79, 16/79, 5/80 and 84/81

In the matter of dispute between

ID 14/79

Workmen through General Secretary, Reading Staff Association, Government of India Press Ring Road Mayapuri, New Delhi

Versus

The Management of Government of India Press, Mayapuri, Ring Road, New Delhi

ID 16/79

The workmen of Government of India Press Minto Road New Delhi as represented by Reading Staff Association, Government of India Press, New Delhi

Versus

The Management of Government of India Press, Minto Road, New Delhi

ID 5/80

Madan Lal Gurohri & others

Versus

Government of India Press, Faridabad

ID 84/81

The workmen of the Government of India Press (Revisers and Copy Holders), Minto Road New Delhi as represented by Government of India Press Workers' Union (Regd.), 10 Press Road, New Delhi

Versus

The Management of Government of India Press Minto Road New Delhi

* APPEARANCES.

Shri Narendra Chaudhary and Shri S. S. Bal—for the Management.

Shri R. C. Pathak, Shri N. S. Sharma and Shri Chandan Singh—for the workmen.

AWARD

It is convenient and proper to make a collective Award in respect of all the four references ID 14/79, 16/79, 5/80 and 84/81 because they all relate to introduction of competitive/limited competitive examination for recruitment to the post of Readers Gr II in the Government of India Presses under Recruitment Rules, 1975.

2 In ID 14/79 vide Order No L-16011(3)/78 D II(B) dated 26th March, 1979 the following dispute has been referred to this Industrial Tribunal.

(1) Whether the action of the Management of the Government of India Press Ring Road, New Delhi in holding the examination on 22nd August 1976 for recruitment/promotion to the posts of Junior Readers was in conformity with the Government of India Press, Ring Road, Mayapuri, New Delhi (Class III non gazetted, non-Ministerial posts) Recruitment Rules 1975? If not, to what relief the workmen are entitled?

(2) Whether the action of the management of the Government of India Press, Ring Road, New Delhi in retaining S/Shri P. L. Malhotra, G. M. Krishnam, Bhagat Ram P. K. Chatterji, Rattan Lal and Parmeshwar Narain as ad hoc Junior Readers (Junior Readers Class II) over-looking the claim of the employees who were senior as ad hoc Junior Readers/Readers Class II, is justified? If not, to what relief are the workmen concerned entitled?

3 In ID No 16/79 vide Order No L-16011(2)/78-D II(B) dated 7th April, 1979 the following dispute has been referred to this Industrial Tribunal.

(1) Whether the action of the management of the Government of India Press, Minto Road, New Delhi in holding the examination on 22nd August, 1976 for recruitment/promotion to the posts of Junior Readers was in conformity with the Government of India Press, Minto Road, New Delhi (Class III non-gazetted non-Ministerial posts) Recruitment Rules, 1975? If not, to what relief the workmen are entitled?

(2) Whether the action of the management of the Government of India Press Minto Road, New Delhi in retaining S/Shri Nand Kishore Faia Chand and Mool Chand as ad hoc Junior Readers (Junior Readers Class II) over-looking the claim of the employees who were senior as ad hoc Junior Readers/Readers Class II, is justified? If not to what relief are the workmen concerned entitled?

4 In ID 5/80 vide Order No L-16011(4)/78 D II(B) dated 25th January, 1980 the following dispute has been referred to this Industrial Tribunal.

(1) Whether the action of the management of the Government of India Press, Faridabad, in holding the examination on 22nd August, 1976 for recruitment/promotion to the posts of Junior Readers was in conformity with the Government of India Press, Faridabad (Class III non gazetted, non-Ministerial posts) Recruitment Rules 1974? If not, to what relief the workmen are entitled?

(2) Whether the action of the management of the Government of India Press Faridabad in retaining S/Shri Amir Chand Bhatia Sant Singh, Vijender Dev and other Junior Readers (Junior Readers Class II) over looking the claims of the employees who were senior as ad hoc Junior Readers is justified? If not to what relief are the concerned workmen entitled?

5 In ID 84/81 vide Order No L-16011(1)/80 D II(B) dated 8th July, 1981 the following dispute has been referred to this Industrial Tribunal.

"Whether the action of the management of Government of India Press, Minto Road, New Delhi, in making the Readership Examination as competitive instead of qualifying and thus adversely affecting the senior persons in the cadre, is legal and justified? If not, to what relief the workmen are entitled?"

6. The Government of India Press Workers' Union in I. D. 84/1981 challenges the introduction of the competitive limited competitive examination in a blanket manner and the request is that the previous position should remain and the promotion from the Revisers and Copy Holders to the post of the Readers should be on the basis of a qualifying test held from time to time as was the procedure adopted by the Management throughout till the holding of the first examination in 1976. It is pleaded that the practice of promotion to the post of Readers on the basis of qualifying test had become a term and condition of service of the concerned employees for promotion and it could not be varied without any justification and without proper notice under law.

7. It is submitted that ad-hoc promotions were not legal and proper and that the introduction of the competitive examination upset the seniority of the Revisers and Copy Holders in the matter of promotion and allowed Junior persons to supersede Senior employees who had put in long tenure of meritorious service resulting long favouritism, corruption and caused frustration among senior employees.

8. In I. D. 14/79 the Reading Staff Association Government of India Press, Ring Road, New Delhi pleaded that the Ring Road Press started functioning in the year 1970 and employees working in other Government Presses were brought there in public interest. The examination held in August, 76 was said to be during Emergency in under threats and coercion. Earlier the post of Reader Gr. II and I was all by promotion through Trade Test. It is submitted that the Division by way of limited competitive examination divided the workmen for ad hoc Readers it was a qualifying examination and for a Copy Holders with three years service it became limited competitive examination causing discrimination and dismay. The conduct of examination is also challenged as being neither bona fide nor fair and the papers in the said that were said to be unreasonable, unjustified and lengthy with mala fide intention to promote favourites. They wanted that the Management action on the basis of the examination held in August, 76 be set aside and the Management be directed to hold their examination and ad-hoc promotions be not made.

9. The Management is said to have ignored the notifications of the Government of India for reservations and concession to be provided for Schedule Castes and Scheduled Tribes while effecting promotions. The retention of ad-hoc Junior Readers Shri P. L. Malhotra and others mentioned in the reference was objected to when there were senior ad-hoc Junior Readers to them in the Presses.

10. In I. D. 16/79 similar objections were raised. A reference was made to the assurance by the then Minister of Works & Housing Shri H. K. L. Bhagat for redressal of grievances during the pendency of Conciliation proceedings. The Hon'ble Minister was said to have assured that the qualifying examination would be conducted soon after the withdrawal of the case before the Conciliation Officer and the employees will be regularised in their respective posts as per the service conditions which were operating at the time of their promotion on ad hoc basis and that the interest of the ad hoc appointees would be safeguarded. The Management was said to have flouted the statutory rules when the rules provide a competitive examination the Management changed the mode of examination by holding examination partly on competitive and partly on qualifying basis.

11. The conduct of examination is challenged and it is asserted that a person who could not have finished even 14th of the work required to be done in the examination in the time allotted by the authorities was also declared as successful in the said examination and that eye sight of an employee who was promoted as Junior Reader was very weak and was a hazard for discharging his duties. The Management was said to have ignored the notifications by the government for reservations and concessions to be provided for Schedule Castes and Schedule Tribes and the ad-hoc promotions of Shri Nand Kishore, Tara Chand and Mool Chand was said to be unjustified.

12. In I. D. 5/80 it was pleaded that as per the Recruitment Rules 1975 the recruitment was to be 100 per cent by selection through a limited competitive examination failing which by Direct Recruitment failing which by competition. It was urged that the said examination ought to have been held on competitive basis strictly on merits and that this was not done and the examination was not conducted in accordance with fair norms nor was it held bona fide. The workmen said that they have serious doubts and reasons to believe that the assessment was also not fair and there were other motives operating in the assessment of papers and in deciding the results. It was requested that the Management action was bad in law and that the workmen had been deprived of their promotions to the post of Junior Readers and they should be deemed to have been promoted w.e.f. the dates of results in order of their rank in the said examination.

13. The Management contested all these cases and affirmed the correctness of their action and the legality and propriety thereof. The changes in the wholly competitive examination test and relaxation were said to have been made on consideration of the the representations received and to give as much benefit to the employees as possible and to effect the change to competitive examinations as smooth a manner as possible. The conduct of examination was said to be bona fide and fair and results correct and the relaxations made fair and proper.

14. The evidence of the parties have been recorded and I have heard representatives of the parties.

15. It is correct that a competitive examination is not usual for Industrial workers for post included in the service cadre of the Industries. But a competitive examination is a regular feature in the Administrative and clerical service if the Govt. introduces a competitive examination for the posts of Readers Gr. II, it cannot be said to be discriminatory or unconstitutional. The right to experiment with competitive examination or limited competitive examination for posts in the industrial field in selected categories of posts is not to be rejected as wholly unwarranted.

16. An earlier generation accustomed to slow and steady rise in service believed in seniority and qualifying tests but the modern young men feel that chances of promotion should be possible earlier on proved merit and competitive examination is a recognised basis for ascertainment of merit and suitability for the higher post. As such the introduction of the competitive examination cannot be held to be illegal or unjustified, perse. The changes in the competitive examination were introduced on account of large number of representations received and the Govt. of India decision on the matter appears to be fair. The relevant decision is contained in the memorandum No. 22/3/72-A.1 dated 30-10-75 of the Director of Printing is in the following terms:

DIRECTORATE OF PRINTING

No. 22/3/72-A1 New Delhi-11, dated 3-10-75.

MEMORANDUM

Subject :—Readership Examination.

The Heads of presses are aware that rules for Readership Examination were approved by Govt. and forwarded to them vide this office memo. of even number dated 13-12-73.

2. A large number of representations were received from the individuals and the Unions mainly on the following subjects :—

(1) The proposed examination should not be competitive and the qualifying nature should be retained.

(2) The existing members of the staff, who have already qualified in the examination prior to the issue of revised rules, should be exempted from taking the proposed examination.

(3) Regional languages should not be made compulsory for the proposed examination.

(4) These workers who have been officiating in the post of Reader on ad-hoc basis for more than one year, should be exempted from appearing in the proposed examination.

3. These have been carefully considered by Govt and it has been decided by them as under —

- (i) The nature of examination will remain unchanged, namely it will be a competitive one. The syllabus for the examination has however, been simplified to the extent possible.
- (ii) The existing staff who have qualified in a qualifying examination prior to the issue of the revised rules will not be asked to reappear in the examination. In presses where such qualified persons are awaiting their posting in the relevant grades, the examination will be held only after those who have qualified in the earlier examination have been absorbed.
- (iii) Regional language will not be compulsory. However, the candidates will have to appear either in Hindi or a regional language as prescribed in the rules for holding examination.
- (iv) The unqualified Readers, both Senior and Junior who have been working on ad hoc basis for two years or more on the date of issue of this Memo, will be required only to qualify in the Readership Examination. They will be required to qualify with the minimum marks as prescribed in the rules for Readership Examination "vis 50" in each paper. They will be given only one chance for qualifying the examination. Those who fail to qualify will have to come through competitive examination and will be reverted with effect from the date of receipt of the result of the Readership Examination. Their future promotion will, however, be on the basis of normal rules, namely, rank in the competitive Readership Examination. All the unqualified Junior and Senior should appear in the first competitive examination (which will be qualifying for them) failing which they will be reverted. However, such of the Junior and Senior Readers who are medically unfit to appear in the examination may be considered for being allowed to appear in the second competitive examination (which will be qualifying for them) provided they produce a medical certificate from the C.G.H.S. doctor/Press Medical Officer/Authorised Medical Officer of a Government Hospital.
- 4 It has been decided to hold the Readership Examination in all the Presses, where qualified Readers are not available sometime in January 1976. This may be notified to all the eligible candidates. The eligible candidates may be asked to apply by 20-10-75. The applications received from the employees or particulars of such candidates need not be submitted to this Directorate. A statement showing the total number of eligible applicants who have been admitted to the examination (showing separately the ad-hoc Senior and Junior Readers and Revisers/Copy Holder) should be submitted to this Office indicating the number of applicants who have opted for different languages in the examination, namely Hindi or regional languages (in which printing is done in the Press and which will be specified by name) by 30-10-75. In the case of Government of India Press, Gangtok Rule 4(ii) of the Readership Examination Rules will apply.

5 The Heads of Presses are competent to allow the eligible Officers to appear in the Readership Examination.

6 All the recognised Unions/Associations may be informed of the Govt decision on the points mentioned in para 2 above and the contents of this communication should be made known to all the employees concerned.

7 Please acknowledge receipt

R. K. CHIB Deputy Director (Admin)

To

All the Heads of Presses (By name) "

17 The power to relax the rules is given and the relaxation made in this memorandum dated 3-10-75 do not seem to be unfair or improper. The relaxation are limited and the nature of the competitive examination has not been changed wholly. The adjustments and relaxations are intended to meet a situation that the change from qualifying test to wholly competitive examination may not be abrupt or unsettling in nature.

18 In the matter of retention of employees who had failed, there was a choice as to whether ad-hoc Junior Readers may be retained or whether those who qualified but did not come under the limited competitive examination merit list should become Readers Gr II. If the government decided to retain the ad hoc Junior Readers and not promote the Revisers and Copy Holders who got more marks in the limited competitive examination the Management action cannot be said to be unfair or improper. The decision could be one of the two and if the management took one decision to continue those who were already working as ad hoc Junior Readers it cannot be said to be improper or unjustified.

19 The conduct of examination is not to be supervised or controlled by this Industrial Tribunal and the alleged unfairness in the said examination either in the conduct of them or in the assessment of papers cannot be gone into by this Industrial Tribunal and the conduct of the examination in regard to its fairness has not been referred to this Tribunal.

20 On a consideration of the entire situation obtaining in the Govt of India Presses the Govt of India (Directorate of Printing) decision in the memorandum dated 3-10-1975 quoted above appears to be a fair one and the amendments and changes made through this memo do not call for interference by this Industrial Tribunal.

21 It is to be appreciated that any change in a previously existing Scheme of promotion will affect a number of employees but a Scheme of promotion on merit suitably modified cannot be set aside on the ground of affecting the expectations of senior employees working in the Govt of India Presses. Any deficiencies and faults in the conduct of examination cannot be a basis for condemning the competitive or limited competitive or qualifying examination introduced in the Govt of India Presses for posts of Readers Class II.

22 In regard to section 9(a) of the I.D. Act, 1947 in respect of change in condition of service prohibiting an employer from doing so without giving notice to workmen, it is to be noticed that such a notice is not required for affecting any change in any rules or regulations when these are notified by the appropriate government in the official gazettee and the changes made by way of competitive examination were notified in the gazettee and there is no applicability of section 9 (a) of the I.D. Act to such a situation.

23 It is to be appreciated that the Govt of India and the Directorate of Printing introduced the competitive examination for Readers Gr II in the Govt of India Presses in an honest belief to allow earlier promotion to Copy Holders and Revisers on merit. The amendments were made in the scheme in respect of ad hoc Junior Readers and persons working as Copy Holders and Revisers to meet the situation that the change may not be abrupt. Even if certain expectations of promotion have been affected adversely, it is to be accepted as necessary consequences of the changes introduced which changes are not impermissible, unconstitutional or improper. The fact that competitive examination or limited competitive examination in industrial field is rather new cannot conclude judgement on the matter and its introduction cannot be rejected outright.

24 It appears that the Govt of India and the Directorate of Printing have not acted unjustifiably in introducing competitive examination, limited competitive and qualifying test for ad hoc Junior Readers. They do not seem to have acted unjustifiably even in retention of ad hoc Junior Readers and in not promoting such Revisers and Copy Holders who did not come within the range of selection in posts reserved by limited competitive for them. The allegations regarding the conduct of examination not been probed for want of reference of that point by the government of India and the legality and justifiability of the Management's actions referred to the Tribunal appears to be beyond question. Award is made accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

August 3 1984

O. P. SINGIA Presiding Officer
No. I 1601(3)/78-D II (B) 1
T. B. SITARAMAN Desk Officer

